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Security Council

Seventy-third year

Provisional

8383rd meeting
Friday, 26 October 2018, 9 a.m.
New York

President:	Mr. Llorentty Solíz	(Bolivia (Plurinational State of))
Members:	China	Mr. Ma Zhaoxu
	Côte d'Ivoire	Mr. Ipo
	Equatorial Guinea	Mr. Ndong Mba
	Ethiopia	Mr. Woldegerima
	France	Mr. Delattre
	Kazakhstan	Mr. Tumysh
	Kuwait	Mr. Almunayekh
	Netherlands	Mr. Van Oosterom
	Peru	Mr. Meza-Cuadra
	Poland	Mr. Lewicki
	Russian Federation	Mr. Nebenzia
	Sweden	Mr. Skoog
	United Kingdom of Great Britain and Northern Ireland	Ms. Pierce
	United States of America	Mr. Cohen

Agenda

The situation in the Middle East

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The meeting was called to order at 9.05 a.m.

Adoption of the agenda

The agenda was adopted.

The situation in the Middle East

The President (*spoke in Spanish*): In accordance with rule 37 of the Council's provisional rules of procedure, I invite the representative of the Syrian Arab Republic to participate in this meeting.

In accordance with rule 39 of the Council's provisional rules of procedure, I invite Mr. Staffan de Mistura, Special Envoy of the Secretary-General for Syria, to participate in this meeting.

Mr. De Mistura is joining the meeting via video-teleconference from Beirut.

The Security Council will now begin its consideration of the item on its agenda.

I give the floor to Mr. De Mistura.

Mr. De Mistura (*spoke in Spanish*): I thank you, Mr. President, for giving me the opportunity to address the Council from Beirut.

(*spoke in English*)

I take this opportunity to update you, Sir, and the members of the Security Council on developments with regard to Syria that have taken place since my last briefing (see S/PV.8373), which took place last week in New York. Today, I will focus in particular on an update on my consultations in Damascus two days ago.

Following the meeting between the Secretary-General and the Deputy Prime Minister and Minister for Foreign Affairs and Expatriates of the Syrian Arab Republic, Mr. Al-Moualem, on the margins of the General Assembly, I met Minister Al-Moualem in Damascus on 24 October. We focused on the political process and the efforts to convene a constitutional committee. I appreciated the quite frank nature of the exchanges that we had in Damascus. Minister Al-Moualem expressed appreciation for his meeting with the Secretary-General during the General Assembly. He indicated that it paved the way for the meeting in Damascus. I will now refer as accurately as possible to what I heard from Minister Al-Moualem.

He strongly underlined the principles of sovereignty and non-interference in the internal affairs of United Nations Member States. He underlined that the Syrian Constitution is a highly sensitive matter of national sovereignty. On the Sochi final statement, Minister Al-Moualem referred to another outcome, rather than the one circulated by the Russian Federation to the Council. He said that it was possible for the Government of Syria to take some elements of the outcome circulated by Russia and "reconcile" them with the Government's preferred other outcome. The key differences in this regard concerned mainly the role of the United Nations.

With regard to the understanding reached between Russia and the United Nations before the Sochi event, which I mentioned specifically when I briefed the Council on 17 October, Minister Al-Moualem did not view it as consistent with the principles of sovereignty and non-interference. Basically, Minister Al-Moualem did not accept a role for the United Nations in general in identifying or selecting the middle third list; rather, Minister Al-Moualem indicated that the Government of Syria and Russia had agreed recently that the three Astana guarantors and the Syrian Government would, in consultations among them, prepare a proposal with regard to the third middle list and present it to the United Nations facilitation. I should add, just for the sake of completeness, that Mr. Al-Moualem, did not on that occasion or in that meeting, indicate the Government's views on the mandate, chairmanship, decision-making or any other aspects of the rules of procedure necessary for a constitutional committee to function.

For my part, I welcomed the chance for the United Nations to talk directly with the Government about the constitutional committee. I also regretted that this had not been possible since the Sochi meeting and that the Government had declined the United Nations offers to engage it directly on the constitutional committee and its follow-up. I recalled that it was in this context of non-engagement by the Government with the United Nations that the United Nations began to work with the Astana guarantors, at their own suggestion, on a package and that Russia and Iran had informed the United Nations that they had been constantly consulting the Government as the consultations proceeded.

I indicated that it was also appropriate and logical for the United Nations, as the mediator mandated by the Security Council, to seek understandings with Russia regarding a meeting that Russia had proposed in Sochi, hosted and facilitated, in order to ensure a common understanding of how the initiative would contribute to the United Nations-mandated process. I reminded

Minister Al-Moualem of the convening role of the United Nations, mandated by resolution 2254 (2015). I also recalled the terms of the Sochi final statement, as circulated by the Russian Federation to the Council. I would also remind the members of the Security Council today of what was agreed. The first task was

> "to form a constitutional committee comprising the Government of the Syrian Arab Republic delegation along with wide-represented opposition delegation for drafting of a constitutional reform as a contribution to the political settlement under the United Nations auspices in accordance with Security Council Resolution 2254 (2015)".

Secondly, the

> "constitutional committee would at the very least comprise Government, opposition representatives in the intra-Syrian talks, Syrian experts, civil society, independents, tribal leaders and women; ... care would be taken to ensure adequate representation of Syria's ethnic and religious components; and... final agreement is to be reached in the United Nations-led Geneva process on the mandate and terms of reference, powers, rules of procedure, and selection criteria for the composition of a constitutional committee."

I explained in detail during the last briefing the criteria that guide us in approaching the questions on the list, which I went through with Minister Al-Moualem. Most importantly, I stressed that the United Nations was in Damascus precisely to consult the Government on the list. As the facilitator, I offered for the United Nations to work there and then with the Government if the Government objected to particular names, or even on the development of a new, credible balanced and inclusive list as long as it had those characteristics. I observed that, to me, this seemed to fully respect the sovereignty of the Syrian Arab Republic. Indeed, it was an invitation to exercise that sovereignty.

At a certain point, Minister Al-Moualem proposed that I withdraw the proposed middle third list already on the table. I indicated that the United Nations could withdraw its proposal only once and only if there was an agreement on a new, credible, balanced and inclusive list consistent with resolution 2254 (2015) and the Sochi final statement. I urged that we seize the opportunity to ascertain if that was possible or not. Minister Al-Moualem indicated that he would get back to me if new instructions came from his own leadership. However, he also said that he preferred, at that stage, to await the outcome of my forthcoming consultations with the Astana guarantors.

I should add that Minister Al-Moualem stated that the Astana guarantors had rejected the initial United Nations proposal on a third list. I, for my part, indicated that this was not really the case and that while they had suggested the need for some changes, they were engaging on the proposal and that it had already been revised more than once. I also indicated that all three guarantors supported the role of the United Nations, as per resolution 2254 (2015) and the Sochi declaration.

The Government has expressed its position clearly and I can say that it has indicated that it wishes that position to be made public, which I am currently doing. However, I cannot at this stage report any evolution on its position beyond what I have just said and what I have heard myself, which I am reporting to faithfully to the Council. The efforts of those who convened and sponsored Sochi to ensure that the Government of Syria would be fully on board with the outcomes of the Sochi final declaration have not, as of today, produced the outcome we were hoping for. Otherwise, we would have heard something different.

Taking into account, first, the mandate of the Special Envoy, embodied in resolution 2254 (2015); secondly, Minister Al-Moualem's different understanding of the role of the United Nations and of the Sochi final declaration; and thirdly, the extent of the Government's desire to reopen the work today, we have a serious challenge ahead. Let me be frank. It is my intention to spare no effort to address this challenge during the coming weeks. Since Minister Al-Moualem indicated that the Government's preferred methodology at this stage was to work with the Astana guarantors on a third list, a great deal of responsibility and expectation rests now on them and on how to implement the Sochi declaration in a manner that would carry forward the implementation of resolution 2254 (2015) and give practical effect to the basic points that the United Nations supported in Sochi.

As I have already indicated, the United Nations proposal was made after careful consultations, including with the guarantors, and has already been revised in the light of those consultations. The sheer difficulty of keeping everyone on board should be a reminder to all to be careful in thinking that some radically different approach has any prospect of success.

The United Nations is not opposed to constructive and moderate suggestions so long as we maintain the same spirit of credibility — I repeat, credibility — balance, and the international legitimacy of the middle third list on the table. There is a sense of urgency to find common ground or to at least clarify where we stand, because we should not miss the opportunity offered by the Idlib window. That is why November is becoming so important.

Let me also stress once more that the United Nations believes it is important to ensure a minimum of 30 per cent women representatives in the committee and that this requires at least 24 of the 50 representatives in the middle third to be women. Tomorrow, I will be travelling to Istanbul to brief the Presidents of France, Germany, Russia and Turkey when they meet to discuss Syria. I am honoured by this invitation and will use that occasion to remind those four important leaders that, given the fact that a catastrophe in Idlib has so far been avoided; that the international consensus to see a credible and balanced constitutional committee with United Nations facilitation as soon as possible; and that the instructions given to me by the Secretary-General — whom I am constantly consulting on the matter more than ever before — require me to exhaust every avenue in the time that remains to my mandate, there is, in my opinion, still a clear window of opportunity that needs to be urgently seized.

The influence that can be exercised by all world leaders, including in particular the four world leaders meeting tomorrow in Istanbul, can be crucial in ensuring that this happens. Seeing as members of the Small Group on Syria will meet on Monday in London, I will also use that occasion to host a meeting with them later on, within the context of the Geneva process. I really look forward to hosting the Astana guarantors very soon. They themselves met in recent days and, according to their statement, discussed many aspects of a constitutional committee. That meeting will be vitally important to consultations.

I will spare no effort in the time that remains to my mandate to verify whether it is indeed possible to convene a United Nations-facilitated, Syrian-owned, Syrian-led constitutional committee that is credible, balanced and inclusive and that contributes, in the context of the Geneva process, to implementing resolution 2254 (2015). If it is feasible, the United Nations will convene such a committee as soon as possible. I will, in any case, share a full assessment as Special Envoy when I brief the Council in person on 19 November. Meanwhile, we shall keep our door open, and we shall keep under review all options for a constructive and credible outcome.

The President (*spoke in Spanish*): On behalf of the Council, I thank Mr. De Mistura for his briefing.

I now give the floor to those members of the Council wishing to make statements.

Mr. Cohen (United States of America): I thank Special Envoy De Mistura for his briefing.

The United States, along with all other members of the small group — Egypt, France, Germany, Jordan, Saudi Arabia and the United Kingdom — and other like-minded Security Council partners are united in our position that the United Nations should move swiftly to convene the constitutional committee. We continue to strongly support Special Envoy De Mistura's efforts towards the formation of that committee in November.

As the Special Envoy noted, the constitutional committee must be credible, balanced and representative of the Syrian people, and we note, despite what the Special Envoy heard in Damascus, that the United Nations has exclusive control over the committee's membership, schedule and scope of work, as affirmed by the Russian Federation in its January 2018 Sochi declaration.

Further obstruction of the committee's formation is unacceptable. Further delay risks squandering the window of opportunity provided by the Turkish and Russian demilitarized zone, which succeeded in preventing further bloodshed in Idlib and beyond. The parties have been consulted. No one should doubt that the United Nations Special Envoy has the mandate to move forward to establish the constitutional committee. Any list in that respect, by whomever proposed, must have the approval of the Special Envoy, not just in its membership but in how it is compiled. That is his charge, and not just from Sochi, but from paragraph 2 of resolution 2254 (2015).

We should be in full agreement as to the fact that there is no alternative to a United Nations political process as described in that resolution and agreed by unanimous decision of the Council. That political process must move forward now.

Mr. Delattre (France) (*spoke in French*): I would like at the outset to thank the Special Envoy of the

United Nations Secretary-General for his particularly important and enlightening briefing concerning progress in the political process and, more broadly, for his tireless efforts, which deserve and enjoy our full support.

We requested this meeting in response to the proposal made by Staffan De Mistura last week. We did so because Syria is currently at a crossroads: it could either tip into military escalation in Idlib, which would open up one of the darkest chapters in the Syrian tragedy, or it could take the difficult path of genuine political momentum for a settlement to the conflict. We are deeply convinced that today, perhaps for the first time in seven years, there is a narrow window of opportunity to achieve that. Both scenarios, the encouraging one and the bleak one, are possible today; the choice depends a great deal on us and on the ability of the Council to come together around the option of peace.

The establishment of the constitutional committee can and must be the turning point that we are looking for, a first step in a process of genuine political momentum. Such establishment as soon as possible is therefore our priority today. To be clear, given the choice between war and peace in Syria, the key lies largely in the land of Tolstoy; the establishment of the constitutional committee requires that Russia leverage its full weight in Damascus in this respect, just as we are doing for our part with our partners in the small group. After all, the idea of the constitutional committee came out of an initiative of Russian diplomacy, and today all the members of the Council, without exception, have advocated for its establishment.

So what are we waiting for to move forward? I should like today to make three points: to clearly identify the responsibilities of the Syrian regime, whose obstruction is continuing to block the launch of the political process; to share with the Council the efforts made by France and the small group to achieve this; and, lastly, to briefly lay out possible subsequent solutions.

Our friend Staffan went to Damascus to hear the expectations and positions of one of the parties to the conflict. From the picture that he has just painted, it seems, as was, unfortunately, predictable, that the regime does not consider itself bound by a commitment, even though a few months ago it transmitted its list to the Special Envoy, and that it is rejecting the list of the third third of the constitutional committee proposed by the Special Envoy, in so doing not hesitating to trample the rules laid down in Sochi.

The conclusions of his visit provide clarification concerning the responsibilities at play and require us to redouble our efforts to finally get the political process of the ground. The United Nations has made considerable efforts to achieve a composition of the constitutional committee that represents all components of Syrian society. Here once again, on behalf of France, I would like to pay tribute to Staffan de Mistura for his work.

Staffan has conducted in-depth consultations, adjusting his proposals several times so as to achieve a balanced, universally acceptable composition of the constitutional committee. The offer currently on the table meets those requirements. He was mandated to carry out this work and to achieve the establishment of the committee, and he has our full support for inviting the participants without delay to a first meeting in November. We strongly request that he move forward in this respect.

France has spared no effort to encourage progress in the political process. The ministers from the small group issued a joint communiqué on the margins of the General Assembly calling for the early creation of the constitutional committee. The members of the small group, whose representatives all spoke last week in the Security Council (see S/PV.8373), demonstrated their unity and support for that agenda along with the vast majority of members of the Council.

President Macron spoke on the telephone with President Trump at the beginning of the week on the subject of Syria, and the urgent need to make progress on the political track was underlined. Our determination to ensure that the constitutional committee is established is therefore very clear. The Istanbul summit, which will take place on Saturday and will bring together France, Germany, Russia and Turkey, must also allow for progress to be made on this specific point and, of course, on the subsequent political process. The small group will meet once again before the end of the month, and there is therefore unprecedented mobilization for the committee to meet. So let us come together to push ahead with all of our strength in this direction so that we do not allow this very fragile window of opportunity to close.

What do we need to do now? As confirmed by the Special Envoy's visit to Damascus, the top priority is for all actors to at last bring the necessary pressure to

bear on Damascus so that the committee can meet in November. That is the only possible path. Together we must show that we are firm and mobilized to ensure the implementation of the objectives that we have clearly endorsed.

The Council's convergence of views on a proposal initially made by Russia represents a unique opportunity; to fail to seize it would be irresponsible. We cannot allow the regime to ruin our collective efforts; if that happened, the conflict would continue for years, with no financial resources to rebuild the country and refugees left unable to return.

In summary, our friend Staffan de Mistura's road map is clear and in line with resolution 2254 (2015), which is more than ever our common compass, and he has our full support in implementing it. I will conclude with a solemn appeal to everyone's sense of responsibility: we must remain fully aware that the risk of a new escalation in the Syrian tragedy cannot be ruled out. The only definitive way to avoid that is with a credible and inclusive political solution. That means that the coming weeks are crucial, and that is why we will not hesitate to convene the Security Council as often as needed during the coming period to mobilize the international community in support of mediation on the part of the United Nations and to finally achieve the delayed establishment of the constitutional committee. I remind the Council that the establishment of that committee will be only the first step in the long process of bringing back peace to Syria, which includes elections and the establishment of a safe and neutral environment on the ground. We are counting on our friend Mr. De Mistura, just as he can count on our full support until the end of his mission.

Ms. Pierce (United Kingdom): We thank Mr. Staffan de Mistura and his team for briefing us today. I find it incredible that we should have to rehearse, for the benefit of the Syrian authorities, why the United Nations needs to be involved in Syria. It is not a matter of national sovereignty that there are over 1 million refugees. It is not a matter of national sovereignty that there are 400,000 dead in Syria. What we have there is a threat to international peace and security, and it is right that the United Nations is involved. The United Nations has been involved on the humanitarian aspect, the refugee aspect and the health aspect. It is absolutely front-and-centre correct that it should be involved in the political process. I will therefore go further than Mr. De Mistura, who talked about a serious challenge. I think that we actually face a grave challenge in the way that Members of the United Nations have been cooperating with the Organization, and as my American and French colleagues have said, we face a grave challenge in terms of the situation on the ground.

Additionally, there is now enormous doubt over what the Sochi agreement was and what it now represents. Either Russia has given the United Nations and the Council assurances that it has proven too weak to deliver on, or it was all a cynical smokescreen designed to divert attention and energy while Russia, Syria and Iran prosecuted the military campaign. That military campaign has been brought to a halt only by the international outrage at the threat to 2 to 3 million civilians in Idlib, before the Turks bravely stepped in and brokered an agreement that was designed to protect those civilians.

I therefore think that we need five things, in support of what my French and American colleagues have said. We need clarity on the status of the Sochi agreement and the new proposals of the Syrian authorities. What do they mean? What do Russia and Iran think about them? We need clarity on what steps need to be taken by all the players before 19 November, when Mr. De Mistura has offered to come back and brief the Council, and before the end of November when he steps down. We need clarity that Russia, as one of the five permanent members of the Council, an Astana guarantor and the convener of the Sochi agreement, will work constructively and tirelessly with the United Nations, along with Syria and Iran. All United Nations Members have a responsibility to support Mr. De Mistura as the Special Envoy of the Secretary-General for Syria. We need to hear today that that promise of constructive, tireless and dedicated engagement is there to bring this conflict to an end.

We need the agreement on Idlib to hold. We need for that opportunity that others have mentioned to be seized. We need the constitutional committee to be convened, and I share the views of my American and French colleagues on that. We need humanitarian access to be improved, and we need resolution 2254 (2015) to be upheld. The Council needs to come together to support the political process. Without the political process, this dreadful conflict will never truly end, whatever happens militarily on the ground. We look forward to further reports following the international meetings in the coming days, but I believe that we must hear today from all Council members that they will

support the United Nations as it tries its very best to move the political process forward.

Mr. Skoog (Sweden): I thank the Special Envoy of the Secretary-General for Syria for his briefing this morning. We commend Mr. Staffan de Mistura's intensified efforts to reach a political solution and bring an end to the conflict in Syria. We very much appreciate his update today following his visit to Damascus, although I have to say that the content of what he has reported on, the response from Damascus, is not what we had hoped for. We are deeply disappointed by the continued lack of cooperation on the part of the Syrian Government regarding the constitutional committee, which contradicts the Sochi final statement that was circulated by Russia to the Council. We support Mr. De Mistura's approach and his insistence on credibility, balance and international legitimacy. We therefore call again on the Syrian Government to fully cooperate with the United Nations, and on those with close relations with Damascus, especially Russia, to support such efforts.

We fully support Mr. De Mistura and his mandate to establish the constitutional committee, which constitutes the first step towards a political solution in line with resolution 2254 (2015). The Sochi final statement made clear that it was via the Geneva process and the facilitation of the Special Envoy that the final selection of the committee would be made. Therefore, the Special Envoy's intensified efforts in many ways constitute a make-or-break moment for the United Nations efforts to convene a credible constitutional committee and for the legitimacy that comes with that. Mr. De Mistura therefore needs and deserves the wholehearted backing of the Council, because it is only through a United Nations-led process that we can achieve a political solution that is acceptable to all Syrians and the international community. At this critical time, we want to reiterate our strong call on the Syrian Government, which I believe everyone in the Council agrees on, to fully engage and support the United Nations-led political process and make sure that there will be real progress in time for the next meeting in November, as previous speakers have said.

Mr. Ma Zhaoxu (China) (*spoke in Chinese*): At the outset, I wish to thank Special Envoy De Mistura for his briefing and express our appreciation for his efforts to facilitate a political settlement of the Syrian issue.

Thanks to the efforts of the Syrian people themselves and with the support of the international community, the situation in Syria remains generally stable and the process for a political settlement has maintained its momentum. The Syrian Government invited Special Envoy De Mistura to visit Damascus for an in-depth exchange of views on facilitating the political process in Syria, including the formation of the constitutional committee. The Russian Federation, Turkey and Iran met in Moscow and jointly sent out a positive message in support of the facilitation of the political process in Syria. We appreciate the efforts of all of the parties in that regard. China has always supported a political solution to the Syrian issue. The international community should push for the revitalization of the Syrian-owned and Syrian-led political process, in which Syria's sovereignty, independence, unity and territorial integrity must be respected.

The Syrian conflict has been ongoing for more than seven years. Resolving differences requires all parties to work together and meet one another halfway. The formation of a constitutional committee must be conducted in a consistent and orderly manner, while striking a balance between the legitimate concerns of the Syrian Government and those of the other parties to make sure that the committee is representative of and acceptable to all in order to ensure that the Syrian political process is sustainable and constructive. The future of Syria will ultimately be determined by the Syrian people themselves. The international community should continue its support for the good offices of the United Nations and Special Envoy De Mistura, properly leverage the role of the Astana process and help to ensure that the Syrian parties remain fully engaged in dialogue and consultations, thereby facilitating the efforts of the Syrian parties to gradually achieve reconciliation, resolve differences and find a realistic and lasting political solution. We hope that all the parties concerned will jointly ensure the effective functioning of the Idlib demilitarized zone, consolidate the gains made in the fight against terrorism, assist in the clearance of explosive remnants of war, rebuild infrastructure and ensure the return of refugees and internally displaced persons as soon as possible.

China stands ready to work with the international community in a joint effort to facilitate a political settlement in Syria, improve the humanitarian situation and play a constructive role in restoring peace and stability in Syria and the region.

Mr. Van Oosterom (Netherlands): I thank Staffan de Mistura for his briefing. Frankly speaking, we are disappointed. We were hoping for more positive information, and we are concerned about the challenges that Mr. De Mistura described, especially the attitude of the Syrian regime with regard to the role of the United Nations.

In our view, it is time for the constitutional committee to be launched. We believe that it is important to make irreversible progress towards a political resolution of the conflict in Syria by convening the constitutional committee under United Nations auspices as soon as possible, in November, before the end of Special Envoy De Mistura's tenure. We need to see the actual launch of the constitutional committee, and invitations should be sent out in the coming weeks.

One can speak of a credible political process only if the constitutional committee itself is credible, balanced and inclusive and represents all Syrians. Therefore, the role of the United Nations is key, and the Security Council adopted resolution 2254 (2015) to that end. The role and the autonomy of the United Nations are essential, and that autonomous role includes the membership of the committee and the scheduling and scope of its work. The United Nations did not start from scratch but is operating fully in line with resolution 2254 (2015) and the Sochi final statement of January, circulated to the Council by the Russian Federation. The Syrian regime therefore has to work with the United Nations, and we count on the countries that have influence, especially the Russian Federation, to use such influence with Damascus.

We need to see the meaningful commitment of the Syrian regime to work with the United Nations. The political time and space for further delaying the process and endlessly moving the goalposts have simply run out. We expect the Syrian regime to make sure that the Syrian delegation can travel to participate, that it can participate in full and that it will participate in good faith — contrary to what we saw during the earlier Geneva rounds. We expect the same of any members of the United Nations middle list who currently reside in Syria. Let me also say that we strongly support the Special Envoy's commitment to ensuring that women constitute 30 per cent of the constitutional committee's members, as he indicated earlier. We strongly urge that such a commitment be extended to ensuring that any future drafting subcommittee or other committee also include 30 per cent women's representation, particularly this week given yesterday's open debate dedicated to resolution 1325 (2000) on women and peace and security (see S/PV.8382).

Of course, the constitutional committee is not a goal in and of itself. It is part of the broader United Nations-led political process based on the Geneva communiqué (S/2012/522, annex) and on resolution 2254 (2015). Implementation of that resolution is the only path forward. There is no circumventing that important resolution. Let us use the "Idlib window", as Staffan de Mistura mentioned earlier.

In conclusion, let me just refer to our well-known position on accountability, humanitarian assistance and certainly the need for a political transition to take place as a precondition for reconstruction aid.

Mr. Meza-Cuadra (Peru) (*spoke in Spanish*): We are grateful for the holding of this meeting and to Mr. Staffan de Mistura for his important briefing.

Peru notes with concern the prospects for a political solution in Syria following the recent meetings held by the Special Envoy with key stakeholders, about which he has informed us this morning. Only a few days ago, in the Security Council (see S/PV.8373), we believed that the auspicious agreement reached between Turkey and the Russian Federation to establish a demilitarized zone in Idlib created an environment more conducive to achieving a political agreement, making it possible to envisage a lasting peace in Syria. Today we would like to reaffirm the urgent need to establish an inclusive and representative constitutional committee pursuant to what was agreed at the Congress of the Syrian National Dialogue in Sochi nine months ago. We believe that that important initiative, like the Astana process, is required to complement the Geneva process. In that regard, with full respect for the sovereignty, unity and territorial integrity of the Syrian Arab Republic, we deem it important and urgent to form the constitutional committee mentioned above and to define its operational and decision-making mechanisms, with a view to advancing the political process outlined in resolution 2254 (2015) and the Geneva communiqué (S/2012/522, annex). We are particularly concerned about the possibility that further delays in establishing the committee could affect the credibility of the process and lead to greater divisions.

We emphasize the importance that all parties engage constructively in the negotiations, while showing flexibility, concern for the country's future

and national unity so as to build the necessary trust to promote reconciliation and build sustainable peace in Syria. Accordingly, we wish to express our full support for the Special Envoy of the Secretary-General in his efforts to move forward in that direction, in particular the way in which he approached the discussions in Damascus and the work that he told us he would be doing over the next several days.

In conclusion, we also would like to underline how important it is that the Astana guarantors and other countries with influence on the parties help to ensure that the constitutional committee be convened promptly, ideally in November.

Mr. Tumysh (Kazakhstan): We thank Special Envoy De Mistura for his briefing on the results of his visit to Damascus. We appreciate his visit and thank him for all his efforts to achieve peace in Syria. We highly value his engagement in intensive further consultations in the period ahead so as to ascertain the possibilities for convening a credible and balanced United Nations-facilitated, Syrian-owned and Syrian-led constitutional committee.

Kazakhstan is closely following the situation presented by the crisis in Syria and supports all initiatives aimed at resolving the violent conflict in the Syrian Arab Republic as soon as possible. We consider the protection of Syrian civilians and infrastructure to be a high priority. At this moment, our attention should be focused on preserving the peace in Idlib. In that regard, I would like to thank Russia and Turkey for the agreement, which has allowed us to prevent bloodshed and a large-scale humanitarian catastrophe. We are encouraged by the information concerning the establishment of humanitarian corridors that can be used by as many as 3,000 civilians. All of that is the result of the creation of a demilitarized zone, which has become a guarantee for the cessation of hostilities.

We welcome the agreement reached on 24 October in Moscow by the Astana guarantors to speed up the formation of the constitutional committee. At the same time, Astana calls on all interested parties to take into account the interests of all Syrians in the formation of the constitutional committee in accordance with resolution 2254 (2015). We also commend the readiness of the Astana group to pursue dialogue with the so-called small group on Syria. We know that the dialogue should be based on that resolution.

Kazakhstan underlines the need to move towards the creation of the constitutional committee as a starting point for the revitalization of the political settlement process in Syria. We hope that the committee will be formed as soon as possible. At the same time, in the future the constitutional committee should work in compliance with the Charter of the United Nations, international law and the United Nations resolutions on the Syrian issue to protect the sovereignty, independence and unification of Syria.

Astana underlines the importance of achieving a political solution in Syria, especially by forming a constitutional committee as a major step in the political settlement of the crisis. Astana fully supports the Special Envoy's efforts to achieve a comprehensive settlement of the regional crisis. It is the Syrians themselves who should begin to shape the future political system of the Syrian State, with the necessary legislative reforms, territorial and administrative structure and presidential and parliamentary elections. Only a political, diplomatic approach in the spirit of the Charter and the Council documents on preventive diplomacy and sustaining peace can bring proper results.

There is therefore a strong need to continue to support the goals of the Astana talks and further Geneva negotiations in order to see positive outcomes. We believe that the Syrian people are capable of determining their own future. However, achieving their aspirations for democracy, reconstruction and stability is impossible without genuine international support.

In conclusion, I would like to emphasize that the Security Council has a particular responsibility to end the tragic period in Syria. We urge the Council to unite around that common political goal by supporting the Geneva and Astana processes, as well as the Special Envoy and a comprehensive political settlement.

Mr. Almunayekh (Kuwait) (*spoke in Arabic*): At the outset, I would like to thank Mr. Staffan de Mistura for his important briefing. The State of Kuwait expresses its appreciation and gratitude for all his efforts over the past four years in carrying out his difficult task. We are certain that he will make further efforts until his last day in office.

We have just listened to the outcomes of the Special Envoy's visit to Damascus, which we had hoped would lead to positive results and would advance the Syrian political process nine months after the declaration made in Sochi regarding the constitutional committee.

Unfortunately, the outcomes of the visit did not meet our aspirations and expectations.

According to resolution 2254 (2015), the formation of the constitutional committee is an important step in the political process and a basis for further steps in the future, including the drafting of the constitution and the holding of free and credible elections in Syria under the supervision of the United Nations and with the participation of all Syrians.

The Sochi declaration is clear in terms of identifying the role of the Special Envoy and the Geneva process in the final formation of the constitutional committee so as to contribute to the political settlement under the auspices of the United Nations and in accordance with resolution 2254 (2015).

There is still nearly one month to go until Mr. De Mistura leaves office. We encourage him to continue his efforts to form the constitutional committee and to ensure that its work can begin as soon as possible. We once again express our support to him. We believe that he has the necessary mandate to establish the constitutional committee, and we agree with him on the need to create a balanced and credible committee.

In conclusion, we stress the need to respect and to implement Security Council resolutions. They should not be a dead letter, especially resolution 2254 (2015), which was unanimously adopted by the Council nearly three years ago. In the coming days we have an opportunity that we must all seize, particularly after the stability seen in Idlib following the Russian-Turkish agreement. That provides an important opportunity to revitalize the political process led by the United Nations following some eight years of war, destruction, killing and displacement in Syria. We hope that diplomatic, not military, solutions will prevail.

Mr. Woldegerima (Ethiopia): We thank Mr. Staffan de Mistura, Special Envoy of the Secretary-General for Syria, for his briefing today. We highly appreciate and support his continued and tireless efforts to facilitate a peaceful solution to the Syrian crisis.

While he informed us in his most recent briefing (S/PV.8373) of his plan to move on after November, we have full confidence that he will do everything possible until the last day to help to move the political process forward. In that context, we welcome his meeting with the Deputy Prime Minister and Minister for Foreign Affairs and Expatriates of the Syrian Arab Republic in Damascus a few days ago.

We note that the Special Envoy had, to use his own words, "a very frank and very intense exchange of views" on the constitutional committee and the political process in general. We thank him for sharing with us what transpired during the meeting. We understand that the discussion on that issue has not been easy and that finding common ground will continue to be a challenge.

Nevertheless, we believe that Special Envoy De Mistura should continue his efforts to convene the constitutional committee as soon as he possibly can. We all agree that the agreement reached between Russia and Turkey on Idlib provides a window of opportunity that should be seized in order to revive a credible, inclusive and Syrian-owned political process, starting with the establishment of a United Nations-facilitated constitutional committee.

We note that there was a meeting of the Astana guarantors in Moscow this week, which we hope will be helpful in sustaining the engagement to move the political process forward, particularly the formation of the constitutional committee. At the same time, we also look forward to the four-way summit on Syria to be held in Istanbul this weekend. We hope that all those diplomatic initiatives at the various levels will contribute to reinvigorating the United Nations-facilitated political process. As the process of the constitutional committee should be Syrian-led and Syrian-owned, we encourage all Syrian parties to constructively engage with the Special Envoy.

Finally, this is the time to further coordinate and accelerate diplomatic efforts to support the Special Envoy in his endeavours to establish the constitutional committee. The Council should also continue to put its full weight behind the Special Envoy, whose efforts will be extremely critical over the coming days and months.

Mr. Ipo (Côte d'Ivoire) (*spoke in French*): My delegation welcomes the holding of this briefing on the establishment of the constitutional committee in the Syrian Arab Republic and thanks Mr. Staffan de Mistura, Special Envoy of the Secretary-General for Syria, for his informative briefing.

Côte d'Ivoire welcomes the meeting on 24 October between the Special Envoy and the Syrian Foreign Minister, leading to a communiqué from the Office of the Special Envoy, which reported a very frank

and very intense exchange of views concerning the constitutional committee and the political process in general. In that regard, my country calls on the Syrian parties to choose the path of dialogue by resolutely joining the Geneva and Sochi processes with a view to effectively overcoming the remaining obstacles to the establishment of the constitutional committee.

Côte d'Ivoire also welcomes the holding of the upcoming four-party summit among Germany, France, Russia and Turkey in Istanbul on 27 October, which will serve as a framework for reflection on a political solution to the crisis, under the auspices of the United Nations, and on the situation in Idlib in north-western Syria.

Côte d'Ivoire sincerely hopes that the dialogue among all the stakeholders will continue with a view to ensuring a peaceful end to the crisis in Syria — the key to lasting peace and stability — irrespective of the conclusions of the talks between Mr. Staffan de Mistura and the Syrian authorities, on the one hand, and the four-party summit planned in Istanbul, on the other.

We therefore call on the parties to the conflict to respect the provisions of resolution 2254 (2015), which sets out the road map of the political process in Syria. We once again urge Council members to restore the unity that has always enabled them, in difficult circumstances, to overcome the challenges to international peace and security.

As Mr. Staffan de Mistura prepares to step down, Côte d'Ivoire would like to reiterate its deep gratitude to him for his sustained commitment and for his work to restore lasting peace in Syria.

Mr. Lewicki (Poland) At the outset, let me join other delegations in expressing my deep appreciation for the Special Envoy's tireless efforts to find a political solution to the crisis in Syria. I would also like to assure him of Poland's strong support for his ongoing work and for the United Nations-led political peace process in Syria.

As there can be no military solution to the conflict that can bring sustainable peace to Syria, we should aim at reaching an intra-Syrian framework political agreement. Furthermore, we strongly believe that the Idlib ceasefire agreement could be an opportunity for a resumption of the political process under United Nations auspices in Geneva as soon as possible. In that regard, we fully support Mr. De Mistura's efforts to establish a constitutional committee as soon as possible. As we spent a great deal of time last week discussing women and peace and security here in the Chamber (see S/PV.8382), it is worth recalling Mr. De Mistura's appeal for ensuring women's participation in the constitutional committee, since there is a very clear link between women's participation in the peace process and the durability and quality of peace agreements.

Setting up the constitutional committee should now be a priority, to be swiftly followed by further steps to enable a negotiated political transition process, which requires the full and constructive engagement of all the parties to the conflict. There is a special role in this for the Syrian authorities, which should participate in the negotiations in good faith and without preconditions. This is for the Syrians themselves to negotiate. Only a real, tangible political process ensuring that the Syrian people are genuinely represented, can lead to the establishment of a timetable and procedures for drafting a constitution and conducting free and fair United Nations-supervised elections.

In conclusion, I want to underline that any political solution must be brokered in accordance with resolution 2254 (2015) and the Geneva communiqué (S/2012/522, annex).

Mr. Ndong Mba (Equatorial Guinea) (*spoke in Spanish*): I would first like to thank the delegations of France, the United Kingdom and the United States for requesting the convening of this meeting and Special Envoy Staffan de Mistura for his informative briefing and hard work in facilitating the political process in Syria. The promptness with which this meeting has been convened, so soon after the Council's meeting on 17 October (S/PV.8373) and the 24 October meeting in Damascus, underscores the need for greater efforts to address and resolve our new challenges and to set up a constitutional committee without further delay, with a view to opening the way to a peaceful political solution to this long-running conflict.

While the Republic of Equatorial Guinea welcomes the Special Envoy's exemplary conduct and the way he has carried out his functions in extremely complex circumstances, we can only deplore the fact that today, after eight years of conflict, during which numerous meetings have been held in the Geneva and Astana formats, we find ourselves at a crossroads, as the representative of France eloquently pointed out at the 17 October meeting and mentioned again this morning.

The spectre of military escalation and the difficult path towards a resumption of peace negotiations between the Syrian parties continue to be a focus of the international community's attention.

We welcomed the meeting in Damascus on 24 October between the Special Envoy and Syria's Minister for Foreign Affairs as part of the efforts to set in motion the constitutional committee to be charged with drafting a new constitution for Syria. We want to remind the parties that significant progress still has to be made, nine months after an agreement was reached in Sochi on forming the committee. In that regard, the demilitarization of Idlib favoured by the Astana guarantors offers an opportunity to give the political process greater impetus by creating an environment conducive to intra-Syrian peace negotiations.

It is important to use this relatively peaceful environment to deal with the difficulties that have been preventing the committee from starting work without delay. As has been emphasized, the main stumbling block remains the composition of the middle third list, of members of civil society proposed by the United Nations. We appeal to the parties to spare no effort to establish a committee with extremely high credibility, which is crucial, and one that is as representative as possible. In addition, for the committee to be credible and legitimate, its composition, rules of operation and decision-making must be based on transparent mechanisms. National parties must also renounce their partisan interests and assume a position of equality of all so as to ensure the success of the constitutional committee's work. As Special Envoy de Mistura has stressed on previous occasions and again today, a credible and balanced committee could be the cornerstone of an inclusive political process for Syrians towards implementing resolution 2254 (2015).

It is on this basis that the Government of Equatorial Guinea hopes that tomorrow's Syria summit between the Russian Federation, Turkey, France and Germany will significantly help to promote a political solution to the crisis by giving priority to the debate on the start of the committee's work. Additional steps to strengthen security and stability, as well as conditions for the return of refugees and the restoration of social and economic infrastructure, also need to be addressed.

Article 24 of Chapter V of the Charter of the United Nations confers on the Security Council the primary responsibility for the maintenance of international peace and security. I therefore call on the Council to bring peace and security back to Syria. After eight years of conflict, the situation in Syria must no longer be a subject that crystallizes the division among the members of the Security Council. A sustainable solution cannot be achieved in Syria without the unhindered involvement of the members of the Council, whether they are allies of the belligerents or have the capacity to influence the national parties. The peoples of the world are watching us, and history will judge us. As members of the Security Council, permanent or non-permanent, let us demonstrate the humanist values that characterize our Organization and bring an end to this conflict by putting the well-being and legitimate prosperity of Syrians ahead of geostrategic interests.

We call on the Government and the people of Syria to take into account their country's current political situation, support the efforts of the international community and undertake an inclusive debate among the various parties to the conflict within the framework of a constitutional committee and in accordance with resolution 2254 (2015), which was unanimously adopted by this Security Council at the proposal of the Russian Federation.

Mr. Nebenzia (Russian Federation) (*spoke in Russian*): We welcome Special Envoy Staffan de Mistura to the Security Council today. We heard a briefing from Mr. De Mistura in this Chamber (see S/PV.8373) just 10 days ago. It is hard to recall any other instances of public briefings of the Council by United Nations mediators on every contact with the parties to a given conflict or the international stakeholders involved. Experience has shown that this kind of work requires great patience, caution and a very measured dose of publicity so as not to harm the matter at hand. We are therefore not convinced that those who insisted on convening today's open meeting are genuine fans of a peaceful settlement in Syria. It is not hard to postulate that what we are seeing is rather the latest show of tragic breast-beating and moralizing directed at Russia.

There is noticeable action being taken at the moment with regard to Syria. On one hand, the United Nations is working within the framework of resolution 2254 (2015). The Idlib agreements are being implemented and our Turkish partners are working diligently on that. The guarantors of the Astana process are making serious efforts to halt the violence on the ground and create conditions that can advance the intra-Syrian dialogue. It is difficult, but concrete progress is clearly being

made. People in many parts of Syria are beginning to return to normal life and feel that they are safer.

On the other hand, we have a group of self-styled examiners sitting on high who have done no visible service in the cause of a settlement but who for some reason have arrogated to themselves the right to a biased investigation of what Russia is doing. We want to emphasize that there are no grounds for establishing artificial deadlines for creating a constitutional committee based on the outcomes of the Syrian National Dialogue Congress in Sochi. It cannot be imposed under conditions that run counter to the wishes of the Syrians themselves. Mr. De Mistura's visit to Damascus at the invitation of the Syrian Government was useful as part of the pathway to achieving the goals outlined in Sochi. We are confident that for the remainder of his term he will spare no effort to advance the issue within his mandate as mediator in full respect for Syria's sovereignty, and we will help him do that.

The very fact of the Special Envoy's visit to Damascus is crucial, but it is not the only development on the Syrian settlement. The Astana troika recently held consultations in Moscow, and representatives of Turkey, Russia, Germany and France are meeting in Istanbul tomorrow for a quadrilateral summit in which the Special Envoy will also participate. Incidentally, according to our information and assessment, his visit to Damascus was very useful and constructive. We should not underestimate its importance and the momentum that his visit can give the settlement process.

However, we caution those who would like to reap dubious dividends from an artificially whipped-up crisis that it would do criminal damage to the political process. That applies first and foremost to the Western participants in the so-called small group. We believe that the Secretary-General and his Special Envoy understand the full depths of their responsibility in this delicate matter. We assume that Mr. De Mistura's briefing today is not his political farewell. He can still get a great deal done before his mandate ends, and we are sure that he will work tirelessly to get results. I will say it again — we will help him in every possible way.

The President (*spoke in Spanish*): I shall now make a statement in my capacity as the representative of the Plurinational State of Bolivia.

My delegation thanks the Special Envoy for Syria, Mr. Staffan de Mistura, for his briefing. We want to highlight his visit to Damascus, as well as his efforts to achieve a political solution to the conflict. We believe that dialogue is the best way to achieve positive results. In that regard, we again underscore the efforts of the Astana guarantors and the agreements concluded on the situation in Idlib, which have had tangible effects in reducing violence and restoring relative calm for the Syrian people. We reiterate that the conflict can have no military solution, and we therefore reject any attempts to foment fragmentation or sectarianism in the Syrian Arab Republic, as well as the presence of foreign forces with no authorization from the Syrian Government.

I want to once again emphasize Mr. De Mistura's tireless efforts on this very delicate and important issue, not just for the Council but for the entire international community. I would therefore like to thank him for his work and reiterate our full support for his efforts to find a political solution. We eagerly await the outcome of the upcoming high-level meetings. After hearing his briefing today, our delegation sees the glass as half full rather than half empty. We remain optimistic that patience and dedication will have positive results. We agree that if we want to strengthen the political process, we must also give the Special Envoy the opportunity to work and focus on reaching that outcome. We believe that the solution requires ensuring the continuity and implementation of the Sochi final outcome, whose main goal is establishing a credible, balanced and representative constitutional committee through continued consultation and cooperation with the Syrian Government. We urge that the conflict be resolved through dialogue and an inclusive and united political process, led by and for the Syrian people, that can lead to a peaceful and sustainable solution within the framework of the Geneva process and resolution 2254 (2015), under the auspices of the United Nations, in line with international law and with full respect for the sovereignty, independence and territorial integrity of the Syrian Arab Republic.

I now resume my functions as President of the Security Council.

I give the floor to the representative of the Syrian Arab Republic.

Mr. Ja'afari (Syrian Arab Republic) (*spoke in Arabic*): At the outset, I want to note that I have the impression, as other colleagues certainly also do, that those who called for this meeting today are attempting to nullify the cooperation between the Government of the Syrian Arab Republic and the United Nations. As

the Council knows, that cooperation has had a number of positive results over the many years of the so-called Syrian crisis. I have heard some colleagues, specifically those who called for today's meeting, saying that the Syrian Government does not want to cooperate with the United Nations. The Council is aware that those words have nothing to do with the reality.

First of all, we are a founding Member of the United Nations and have been elected as a member of the Security Council three times. We are therefore quite familiar with the importance both of this international Organization and the Council.

Secondly, we have been committed to the Geneva talks since the beginning. We held dozens of meetings with the late Kofi Annan and with Lakhdar Brahimi and Staffan de Mistura. We have devoted thousands of hours to working with them to help Syria end the crisis, and we are therefore committed to the United Nations. The Council knows that we have sat down with it 56 times to discuss reports issued by the Office for the Coordination of Humanitarian Affairs (OCHA), which is a humanitarian body of the United Nations. I repeat, I have discussed OCHA reports with the Council 56 times, which represents additional proof of our cooperation with the United Nations. We cooperate with all the United Nations entities located in Damascus, as well as 28 international non-governmental organizations. Of course, we participated in the Astana process, which, as the Council is aware, has yielded many positive results. We are cooperating with the Organization for the Prohibition of Chemical Weapons, as the Council is also aware, and we have participated with the Council in dozens of meetings on that topic. There is therefore no reason to doubt my Government's cooperation with the United Nations, and I hope that this topic will be pulled out of circulation in such important meetings.

This meeting, which is being held to hear a briefing by the Special Envoy, is taking place two days after the anniversary of the founding of our Organization. We are proud that my country has been a founding Member and signatory to the Charter, as I mentioned earlier. The Charter has enshrined the principles of respecting the sovereignty and independence of States Members of the United Nations; rejecting the crimes of aggression against them; rejecting interference in their internal affairs; and rejecting actions that undermine their territorial integrity.

It is shameful that 74 years after the creation of our Organization and the adoption of those lofty principles, these values are being swept aside and ignored by States, including some permanent members of the Council. Certain Western countries violated the Charter very quickly, even before the ink it was written in had dried.

Those States in particular conspired against my country and waged an unprecedented seven-year terrorist war against it. They have created military bases to sponsor and protect the terrorists whom they brought from the four corners of the globe; they called them the moderate armed opposition. The plans and projects of the enemies of Syria are harmful and poisonous as snake venom, but in the face of the resilience and determination of our people, they will become as fragile as a spider's web.

I deplore the fact that the statement made today by the Special Envoy did not refer in any way to terrorism or to the shelling carried out by the so-called international coalition, which is led by the United States of America. Syrian towns and villages have suffered 69 military raids carried out by coalition planes that have created thousands of martyrs and wounded thousands more, in addition to destroying my country's infrastructure. The Special Envoy did not mention that, although I always started my meetings with him in Geneva by recalling the need for him to make a statement condemning these military operations against Syrian civilians, in Deir ez-Zor and elsewhere.

Once again, on 19 October, the illegitimate so-called international coalition led by the United States of America committed a heinous crime that caused dozens of civilian deaths. Coalition planes deliberately targeted the villages of Sousa and Bubadran in the south-eastern part of Deir ez-Zor province, martyring 62 civilians, mostly women and children, and leaving many people injured, some of them critically.

I have sent the Council 96 official messages informing it of the appalling crimes committed by the illegitimate coalition against Syrian civilians. I demonstrated that the coalition had targeted everything except armed terrorist groups. As a poet once said, if my interlocutors had been alive, my voice would have reached them.

Certain members of the Council have been passive with regard to those crimes. The Special Envoy has joined them in also ignoring those crimes and not mentioning them in the reports of the Secretariat, which

are claimed to be credible although they are far from being so. We therefore call for accountability and for those States that consider themselves to be defenders of the right to life to move away today, not tomorrow, from this pernicious coalition.

What is astonishing is that those States that falsely wept over Idlib and made threats, claiming that they wanted to protect civilians in that city, turned a blind eye when armed terrorist groups in Idlib randomly targeted civilians in Aleppo city with dozens of missiles on 24 October, resulting in scores of martyrs and wounded people.

We have heard no statement on the attack on Aleppo from the Special Envoy, the Secretary-General or anyone else on the Council. Idlib is, of course, a dear part of my country, and we are determined to recover it. We now allow political and diplomatic efforts to be made, but our right under the Charter and international law allows us to fully recover Idlib when we deem it necessary.

The Syrian Government will not allow Idlib to become another Tora Bora. We will not allow that. There can be no other Tora Bora terrorist groups in Idlib. That has already been fully decided upon.

Based on our respect for the role of the United Nations in facilitating intra-Syrian dialogue, the Deputy Prime Minister and Minister for Foreign Affairs for Syria and the Diaspora met the Special Envoy in Damascus on 24 October. During that meeting, a discussion was held on the efforts made to move ahead with the political process to resolve the crisis in Syria, as well as ideas regarding the political process and the constitutional committee. Those issues were discussed by our Minister and Secretary-General António Guterres in New York on the margins of the work of the General Assembly at its seventy-third session.

My country believes in the role of the United Nations and its Charter, as did the founding fathers. Its role is based on the strength of law and not the arrogance of force, a role that respects States' sovereignty and non-interference in their internal affairs.

A State that is a permanent member of the Council has established a camp for terrorists in Al-Tanf in which it deploys its military troops. As the Council is aware, Al-Tanf is a part of the Syrian territories, so that would be a violation of the Charter. However, the Syrian Government has committed positively and openly to the Geneva negotiations and transparently dealt with the Special Envoy since he took up his mandate as intra-Syrian facilitator four years ago. My country continues to wish for the success of his mission because it is in the interest of the Syrian people, as attested to by the Syrian Government when it dealt with his two predecessors, the late Kofi Annan and Lakhdar Brahimi.

My country has engaged with the Astana process in a fully positive way and dealt positively with the results of the national Syrian dialogue in Sochi. We continue to maintain the results achieved regarding the creation of a committee to discuss the current Constitution.

The Special Envoy can facilitate the work of the committee. My country's Government was the first to submit a list of participants to the Special Envoy on behalf of the Syrian State, and we believe that the guarantor States can play an important role, in full cooperation and coordination with the Syrian Government, in the creation of the committee and its mandate and working mechanism, with the facilitation of the United Nations. The Council should note that we are not excluding the United Nations. However, its role is to facilitate an intra-Syrian dialogue, and it does not have guardianship over the dialogue. The task of the Special Envoy is to facilitate intra-Syrian dialogue.

No one wants to end the crisis that has been ravaging my country for more than seven years more than the Syrian Government. We have been bearing the brunt of a terrorist war whose goal was to fragment the Syrian State, kill our people and destroy our infrastructure. The plan was to turn Syria into a failed State, but we have made that plan fail. We have also been open to counter-terrorism initiatives and to resolving the crisis and settling the cases of the people who have become involved in the war. The aim is to achieve national reconciliation with a view to ending the bloodbath and preserving the unity of Syria and its people.

We believe that establishing a committee to discuss a constitution that reflects Syrian society and realizes its ambitions is a way to end the crisis. In our view, therefore, the meeting between our Foreign Minister and the Secretary-General on the margins of the general debate of the General Assembly, as well as the recent consultations with the Special Envoy in Damascus, represents the start of efforts reflecting our positive cooperation with the Special Envoy. We also believe that coordination with the two Astana guarantors, Iran

and Russia, in reaching thoughtful solutions that will ensure the establishment of a constitutional committee and help to realize the aspirations of the Syrian people, will play an important role in achieving our objective. It was the Syrian National Dialogue Congress in Sochi that proposed establishing a constitutional committee, not the Special Envoy, the Geneva talks or the Astana process. Syrians themselves took the decision in Sochi to establish a committee in order to discuss their Constitution. We also believe that setting artificial deadlines and proposing ideas that are not conducive to the outcome we desire will not have positive results in helping us achieve our aspirations.

Lastly, I want to emphasize that the Syrian Government will make every effort to meet the aspirations of the Syrian people and of our true friends, as well as all who aspire to build a world free of terrorism, strengthen the values of the Charter of the United Nations and achieve stability and security in the region and across the world. We are ready to continue cooperating with the United Nations to reach the outcome we desire.

The President (*spoke in Spanish*): The representative of the United Kingdom has asked to make a further statement.

Ms. Pierce (United Kingdom): I will be very brief. We have heard a great deal of support for the Special Envoy in the Chamber. Let us look to that to hold between now and 19 November. I have a question about Idlib. The Syrian Ambassador referred to the Syrian authorities retaking — I repeat, retaking — Idlib. That would cut across the agreement that the Russians and the Turks have made with regard to Idlib. I would like to know if the Russian and Turkish agreement on Idlib still holds and how long it is likely to hold.

The President (*spoke in Spanish*): The representative of the Syrian Arab Republic has asked to make a further statement.

Mr. Ja'afari (Syrian Arab Republic) (*spoke in Arabic*): I thank my colleague the Ambassador of Britain for her question on that issue and for requesting further clarification.

First, the Council knows of course that I have frequently said on behalf of my Government that Idlib is a beloved part of Syria. We are not talking about Florida, Glasgow or Marseilles. We are talking about Idlib, an area that is part of the Syrian Arab Republic.

Secondly, when terrorism threatens a member State of the Council, it is natural for its Government to step in immediately to combat it. There are thousands of such examples. Yesterday, every TV channel in America was reporting on the terrorist act in which nine parcels containing bombs were mailed to prominent people and public institutions in New York and talking about the gravity of that terrorist act. Fortunately, it did not result in any loss of life. We all think that the United States Administration is doing the right action in investigating the matter because it is an act of terrorism. And what about the 30,000 foreign terrorist fighters in Idlib? Of course they are all moderates — and they belong to the Al-Nusra Front, Da'esh, Alwiya Al-Furqan and Turkmen and other groups. They are all moderate by nature, those 30,000 foreign terrorist fighters who shelled Aleppo two days ago, killing scores and injuring dozens. They shelled Aleppo from Idlib, which constitutes a breach of the Russian-Turkish agreement. That has nothing to do with our intention of retaking Idlib, which is a beloved part of our country that is currently under terrorist control.

Thirdly, we will retake Idlib and restore our sovereignty over Idlib when the Government deems it appropriate to do so. What does that mean? It means that we will do it when we are sure that diplomatic and political efforts have failed to restore that beloved part of our territory to national sovereignty. That issue is governed by diplomatic and political protocols. We know how to address it and naturally we have friends and allies to help us analyse the situation. It is therefore no surprise if I say on behalf of my Government that we will restore our sovereignty over Idlib when we see fit to do so, because it is part of our lands.

The President (*spoke in Spanish*): The representative of the Russian Federation has asked to make a further statement.

Mr. Nebenzia (Russian Federation) (*spoke in Russian*): I will be just as brief as my British colleague. She asked a very specific question about whether or not the recent Russian-Turkish Idlib agreement is in effect. Yes, it is still being implemented, as we said in our statement. At the same time, I would like to confirm what the representative of the Syrian Arab Republic said, which is that we are talking about an area that is part of sovereign Syria. It goes without saying that we believe that, ultimately, the legitimate Syrian authorities will retake control over all of the territory

that makes up the Syrian Arab Republic. There are no contradictions between those two points.

The President (*spoke in Spanish*): I now give the floor to Mr. De Mistura to respond to comments and questions.

Mr. De Mistura: Let me first clarify one point. When I had the very intense and long meeting with Minister Al-Moualem, he did not raise the issue of terrorism. That is why I did not specifically refer to that in today's meeting about my visit to Damascus. The only issue was the constitutional committee.

Let me remind the Council that November is a very special month, not because of my departure, but because there are a lot of opportunities for some progress with regard to the constitutional committee. First, the Istanbul summit is scheduled for tomorrow, 27 October. Secondly, there will certainly be a meeting of the Astana group, and we are looking forward to seeing whether the Astana group will be able to draft some type of proposal that the United Nations can hopefully approve and decide whether it is credible and inclusive. Thirdly, there will probably be more than one meeting of the small group, with one taking place on Monday 29 October. We also heard of a possible summit between President Putin and President Trump in November, and we are scheduled to brief the Security Council at least once more on 19 November.

So during this period, I have been asked to monitor especially the Astana group, because they have a task that was given to them for the month of November. I will continue to ascertain the feasibility of the follow-up to the Sochi declaration and that of the constitutional committee in order to report accordingly to the Security Council and to the Secretary-General.

I will leave no stone unturned until the last day of my assignment in order to be able to take advantage of any opportunity to issue invitations to a first meeting of the constitutional committee and to assess the outcome of all those discussions and meetings, including by briefing the Secretary-General and the Security Council about the clarity of the constitutional committee and why things are moving or why they are not moving. The Council deserves to have all of that in November, and I have the duty to clarify that.

The meeting rose at 10.45 a.m.

United Nations S/PV.8384

Security Council

Seventy-third year

Provisional

8384th meeting
Monday, 29 October 2018, 10 a.m.
New York

President:	Mr. Llorentty Soliz/Mr. Inchauste Jordán	(Bolivia (Plurinational State of))
Members:	China	Mr. Wu Haitao
	Côte d'Ivoire	Mr. Ipo
	Equatorial Guinea	Mr. Ndong Mba
	Ethiopia	Ms. Guadey
	France	Mr. Delattre
	Kazakhstan	Mr. Tumysh
	Kuwait	Mr. Alotaibi
	Netherlands	Mr. Van Oosterom
	Peru	Mr. Meza-Cuadra
	Poland	Ms. Wronecka
	Russian Federation	Mr. Safronkov
	Sweden	Mr. Orrenius Skau
	United Kingdom of Great Britain and Northern Ireland	Ms. Pierce
	United States of America	Mr. Cohen

Agenda

The situation in the Middle East

Report of the Secretary-General on the implementation of Security Council resolutions 2139 (2014), 2165 (2014), 2191 (2014), 2258 (2015), 2332 (2016), 2393 (2017) and 2401 (2018) (S/2018/947)

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The meeting was called to order at 10 a.m.

Expression of sympathy in connection with the shooting in Pittsburgh, United States of America

The President: On behalf of the members of the Security Council, I should like to condemn the deadly shooting that occurred on Saturday at the Tree of Life congregation synagogue in Pittsburgh. This hateful act led to the deaths of 11 civilians, targeted at their place of worship. The members of the Security Council express their deepest condolences to the families and loved ones of those killed, and they offer their sympathy to the people and the Government of the United States.

I ask those present to now rise in a minute of silence in honour of the memory of the victims.

The members of the Security Council observed a minute of silence.

Adoption of the agenda

The agenda was adopted.

The situation in the Middle East

Report of the Secretary-General on the implementation of Security Council resolutions 2139 (2014), 2165 (2014), 2191 (2014), 2258 (2015), 2332 (2016), 2393 (2017) and 2401 (2018) (S/2018/947)

The President (*spoke in Spanish*): In accordance with rule 37 of the Council's provisional rules of procedure, I invite the representative of the Syrian Arab Republic to participate in this meeting.

In accordance with rule 39 of the Council's provisional rules of procedure, I invite Mr. Mark Lowcock, Under-Secretary-General for Humanitarian Affairs and Emergency Relief Coordinator, to participate in this meeting.

The Security Council will now begin its consideration of the item on its agenda.

I wish to draw the attention of Council members to document S/2018/947, which contains the report of the Secretary-General on the implementation of Security Council resolutions 2139 (2014), 2165 (2014), 2191 (2014), 2258 (2015), 2332 (2016), 2393 (2017) and 2401 (2018).

I now give the floor to Mr. Lowcock.

Mr. Lowcock: I concluded my briefing to the Security Council last month (see S/PV.8355) with a question: Would the agreement reached between the Russian Federation and Turkey on Idlib provide only a moment of respite, or would it represent the start of a more stable future for millions of civilians in that part of the country? We have seen a glimmer of hope in the weeks of relative quiet since the agreement was reached. It is extremely important for millions of people in Idlib that that remains the case. The stakes are very high because the alternative is humanitarian suffering on a scale that would overwhelm all ability to respond, devastating a population that is already weakened through years of conflict, displacement and deprivation.

The United Nations and its partner organizations continue to reach people in need throughout Syria. Over the first seven months of the year, in total across the country, an average of almost 5.5 million people were reached with life-saving assistance every month. In September, nearly 2.5 million people were reached with food aid from Damascus. That includes some people in areas that have recently come under the control of the Government, with assistance often delivered through the Syrian Arab Red Crescent.

However, in many areas that recently changed control, the United Nations has not had sustained access. We have discussed this with the Syrian authorities, who have made clear that areas under their control should now be reached in a comprehensive and regular manner from Damascus. They have also agreed to facilitate a greater number of missions and that we can more systematically deploy United Nations personnel with aid that is often delivered in partnership with the Syrian Arab Red Crescent. We look forward to the rapid implementation of that approach. It will allow our teams on the ground to undertake essential independent assessments of the situation and see more of who is being helped and how. At the same time, we will continue to submit plans for Government agreement for crossline access into north-west Syria.

That leads me to a broader point I wanted to make about the approach we are taking to assessing and meeting humanitarian need across Syria. The United Nations mandate for humanitarian action, set by the Council in its series of resolutions and also by the General Assembly in resolution 46/182, adopted in 1991, requires us to consult the Government. We think that is very important. At the same time, our mandate

also emphasizes the principles of independence, impartiality and neutrality in humanitarian action, in particular to ensure that assistance is provided on the basis of need, and not driven or determined by any other considerations.

The humanitarian system, as the Council knows, is financed on a voluntary basis. The main questions I am asked by all those whose help I seek in financing humanitarian action everywhere around the world are always the same. How do you know what the needs are? And how do we know, if we give you money, that it will really get to the people who need it most? If people whose money we are seeking are not persuaded by the answers we provide to those questions, my experience is that they do not give us the money we ask for. Ensuring that we work on the basis of the humanitarian principles is therefore both a matter of complying with our mandates, as we want to and as we must do, but it is also a matter of practical necessity.

I have discussed those issues in detail with the Government on a number of occasions in recent weeks. The discussions have led to important agreements in extending the United Nations ability to assess needs as comprehensively as possible, fully in compliance with our mandate, as we prepare the humanitarian needs overview and the United Nations-coordinated response plan that we will be publishing for Syria for 2019. I hope to be able to report progress to the Council in carrying out expanded needs-assessment exercises in the next few months.

The United Nations cross-border operation from Turkey has continued to reach hundreds of thousands of people in need every month. It has been scaled up in recent weeks to ensure pre-positioning of assistance as a contingency measure in the event of a military escalation, as well as to provide winterization support. Nearly 1,000 trucks are delivering plastic sheeting, winter clothes and boots, heaters and stoves. Critical supplies also continue to be delivered into north-east Syria through the Al-Yaarubiyah border crossing from Iraq.

In the first nine months of 2018, over 750,000 people on average each month were reached with food aid through United Nations cross-border activities. Sustaining that is essential for those in need, in terms of both providing aid and supporting service delivery. It is for that reason that the extension of the provisions of resolutions 2165 (2014) and 2393 (2017) remains of the highest importance. The Secretary-General in his report (S/2018/947), and I now, call upon the Council to renew the resolution for another 12 months.

Cross-border operations continue to be very closely managed and monitored. We continue to take every step possible to ensure United Nations operations meet the highest standards. The way we do that was reviewed in detail earlier this year at the request of the Council, and we reported on it to the Council in June (S/PV.8296). We train implementing partners and local authorities on the implementation of international humanitarian law; we advocate for principled delivery of assistance with non-State armed opposition groups inside Syria; and we have developed a code of conduct, signed by most non-State armed groups operating in north-west Syria, committing to respect international humanitarian law. We also take all possible steps to ensure compliance with money-laundering and counter-terrorism legislation applicable to the United Nations.

Let me turn to other areas of concern in Syria. In Rukban, on the Syria-Jordan border, the United Nations — in cooperation with the Syrian Arab Red Crescent — had prepared to undertake a large delivery of assistance from Damascus for 50,000 people, a vaccination campaign for approximately 10,000 children and a rapid needs assessment. The convoy was planned for Saturday, 27 October, but reports of insecurity along the route forced us to postpone it. The population at Rukban has not received assistance since January this year and they are increasingly desperate. There are continuing reports of children dying due to poor sanitary conditions and a lack of health care. That dire humanitarian situation cannot be allowed to continue. The United Nations is ready and willing to proceed with the convoy immediately. Therefore, my message to all concerned is to please make the necessary arrangements to ensure the security of the humanitarian personnel and the accompanying convoy so it can proceed without delay.

Intense fighting continues to affect civilians along the east bank of the Euphrates river in southern parts of Deir ez-Zor governorate. There have been reports of dozens of civilian deaths and more injuries as Syrian Democratic Forces, supported by international coalition Forces, engage in hostilities in the final remaining enclade in Syria of the Islamic State in Iraq and the Levant (ISIL). Approximately 7,000 people have been displaced from Hajin due to fighting in recent weeks. Up to 15,000 people remain trapped inside ISIL-

controlled areas. An attack by ISIL on one of the camps where displaced people were staying has reportedly resulted in the death and injury of civilians, as well as the abduction of more than 100 people. Some of them have since reportedly been killed.

While I remain concerned about the situation in Raqqa, I want to report that the United Nations has had increasing access to the area. A September assessment visit by the World Health Organization found that health needs in Raqqa remain great, with an acute shortage of all levels of health-care services in the city. Assistance also continues to be provided to Raqqa city and the north-east, with the United Nations and our partner organizations now reaching over 600,000 people each month. In summary, and in conclusion, there are five areas where we now seek the support of Member States and the Security Council.

First is in the continuing implementation of the agreement between the Russian Federation and Turkey and the prevention of a military onslaught on Idleb and the surrounding areas. The humanitarian impact of that would be, as we have repeatedly told the Council, absolutely devastating to the civilian population.

Secondly is the renewal for another year of resolution 2165 (2014), in particular to sustain cross-border aid essential to support and protect more than 3 million civilians in Idlib — most of whom are women and children — and for essential supplies and services across the north of Syria.

Thirdly, we seek support in ensuring that our United Nations-Syrian Arab Red Crescent humanitarian convoy is granted secure access to Rukban camp immediately.

Fourthly, we seek support for our efforts to improve access, needs-assessment and evidence-gathering on how the resources we have raised are being used.

Finally, we need continued and more generous financing for our current humanitarian response plan. While I am — on behalf of millions of Syrians who are the beneficiaries — extremely grateful for the $1.7 billion we have raised so far in 2018, this year's plan is still less than 50 per cent funded.

The President (*spoke in Spanish*): I thank Mr. Lowcock for his briefing.

I shall now give the floor to those members of the Council who wish to make statements.

Mr. Alotaibi (Kuwait) (*spoke in Arabic*): Before I begin, I wish to express our condolences to the families of the victims of the plane crash in Indonesia, which claimed the lives of 189 civilians.

(*spoke in English*)

At the outset, I would like to thank Mr. Mark Lowcock for his valuable briefing, which confirms the continuing dire humanitarian situation in Syria. We support his five asks and call upon all Security Council members to work vigorously to that end. I would like to pay tribute to all medical and humanitarian workers for their efforts in the field to alleviate the suffering in Syria.

I will present this statement on behalf of the co-penholders of the Syrian humanitarian file, namely, Sweden and Kuwait. I will focus on two points: the protection of civilians and civilian infrastructure and humanitarian access.

First, we reaffirm that all parties must respect and ensure respect for international humanitarian law in all circumstances, including by protecting civilians and civilian infrastructure. We also call on all parties to respect international human rights law. The period covered by the Secretary-General's report (S/2018/947) witnessed killings, arbitrary arrests and detentions, the deprivation of liberty, abduction, torture and inhumane, cruel and degrading treatment. We condemn in the strongest terms those practices against civilians by any party.

Secondly, we welcome the Russian-Turkish agreement on the ceasefire in Idlib — whose population is around 3 million, including 1 million children — which averted the immediate threat of a humanitarian catastrophe there. We applaud the pre-positioning measures taken by the United Nations and its humanitarian partners of humanitarian assistance and food to places in Idlib in preparation for the worst possible situation. In that regard, we stress the importance of the sustainability of the ceasefire in Idlib, and throughout Syria, to enable access to humanitarian assistance and the evacuation of injured persons, in accordance with international law and as stipulated in resolution 2401 (2018).

Thirdly, we are also concerned with developments in other parts of Syria. In Deir ez-Zor there are thousands of civilians affected by military operations. In that context, we call upon all parties to

strengthen the protection of civilians during military operations against the terrorist group Da'esh. We express our concern about the continuing danger of explosives — including mines and improvised explosive devices — in Raqqa, especially for the 152,000 people who have returned there.

Fourthly, unfortunately, the reporting period witnessed a continuation of one of the most egregious violations of international law, namely, the continued targeting of hospitals and health facilities. We condemn attacks against hospitals, as well as attacks targeting critical civilian facilities, and remind all parties of resolution 2286 (2016) and the specific obligations under international humanitarian law to respect and protect medical and humanitarian personnel exclusively engaged in medical duties, as well as their means of transport and equipment, and hospitals and other medical facilities.

The report also refers to a number of cases where schools have been targeted, resulting in the suspension of school activity. We remind the parties of their obligations under international law, the need to comply with resolution 2427 (2015), on children and armed conflict, and not to target schools.

There are still significant challenges for the delivery of humanitarian assistance in Syria, as stated in the Secretary-General's report. Although 1.5 million people remain in hard-to-reach areas, inter-agency convoys have not been approved since 16 August. We call upon the Syrian authorities to cooperate with the United Nations to ensure that humanitarian assistance reaches those most in need — especially in the areas that have come back under Government control — through the various humanitarian modalities. Only about 30 per cent of the population with acute needs in those hard-to-reach areas are today assisted by needs-based, principled and sustained humanitarian assistance. A major reason for that is non-approval by Syrian authorities of requests for permission for access. We emphasize the need for humanitarian assistance to reach those in need in accordance with humanitarian principles, including the principles of impartiality and non-discrimination. In that context, we welcome the reference in the recent joint statement agreed by Turkey, Russia, France and Germany, which underscored the need to ensure the rapid, safe and unhindered access of humanitarian organizations throughout Syria and immediate humanitarian assistance to reach all people in need in order to alleviate the suffering of the Syrian people.

In that connection, we must recall what the Secretary General stated in his report — that cross-border humanitarian assistance provides an indispensable lifeline for hundreds of thousands of people across Syria. Cross-border aid is a vital and important part of the humanitarian response in Syria, as evidenced by its reach of 620,000 people in September.

We would also like to express our deep concern about the horrible situation in Rukban, where more than 45,000 people are suffering acute shortages of food and humanitarian and medical supplies. Let us heed the calls from the Office for the Coordination of Humanitarian Affairs and the United Nations system. We call on all parties to facilitate immediate delivery to Rukban. Anything short of delivery is unacceptable.

As co-penholders of the Syria humanitarian file and some of the largest donors to the Syrian humanitarian response plan, Sweden and Kuwait will ensure that the Council closely follows the humanitarian developments in Syria. Thirteen million Syrians still need humanitarian assistance; more than 5 million of them are children. Regrettably, it pains us to know that the humanitarian catastrophe will continue in the near and medium term. The humanitarian situation and suffering will be alleviated only by achieving progress on the political track through a political solution based on resolution 2254 (2015) and the Geneva communiqué (S/2012/522, annex).

Mr. Cohen (United States): I thank Under-Secretary-General Lowcock for his sobering briefing.

The timing of this meeting is especially important. On Friday, we heard the Syrian representative issue a chilling warning, in crystal clear terms, that the regime will "fully recover Idlib when we deem it necessary." (*S/PV.8383, p. 15*). Later that day, we saw reports of regime strikes on areas inside the Idlib zone.

What that means is that the window of opportunity to prevent the slaughter of millions of Syrian civilians living in Idlib, created by Turkey and Russia's agreement on a demilitarized zone, is closing. And it can close fast. Once that window closes, as Under-Secretary-General Lowcock reminded us this morning, a catastrophic humanitarian crisis will be on our hands. Civilians will die. Thousands will be displaced. We have seen this over and over again in this year alone

with the Russian and the regime's offensives in eastern Ghouta, Yarmouk and Dara'a, and now Idlib.

While we were encouraged by the United Nations assessment that Turkey and Russia's creation of a demilitarized zone in Idlib contributed to a reduction of violence in the past month, we are gravely concerned about the scale of the humanitarian crisis we would face if and when Al-Assad decides that the Idlib ceasefire has outlived its usefulness to him. That would likely be the largest catastrophe yet in this already devastating conflict. Syria and Russia have shown that they feel absolutely no obligation to uphold de-escalation zones in eastern Ghouta, Dara'a or even Idlib, based on recent developments. We cannot trust them to uphold the military agreement or basic humanitarian principles in Syria.

The best way to ensure that the Council can prevent another humanitarian tragedy from unfolding in Idlib and the countryside in Syria is to show genuine and urgent movement towards a political solution to the crisis, fully consistent with resolution 2254 (2015). The United States and the other members of the small group — Egypt, France, Germany, Jordan, Saudi Arabia, and the United Kingdom — are exerting every ounce of diplomatic effort to see the constitutional committee launch as quickly as possible, while one other Council member seeks to invoke what is has called "artificial deadlines" to prolong the dangerous status quo. But I think we all agree that, to support the political effort, the Organization's work to prepare for the worst in Idlib remains absolutely essential. The United States applauds the heroic efforts of the United Nations and its partners for their brave work to preposition humanitarian aid in Idlib and to ensure that the international community is prepared to respond should the regime break the ceasefire and trigger a humanitarian catastrophe.

The United States urges Russia and Turkey to make this ceasefire agreement durable, and for Russia to prevent the Syrian regime from launching any military offensive into Idlib. Provocations and disinformation by Damascus must stop, including the regime's and one Council member's continued attempts to falsely accuse the brave humanitarian first responders — the White Helmets — of planning chemical-weapons attacks in Idlib province. That is especially ridiculous given that independent mechanisms created in the Security Council have found the Syrian regime to be the party guilty of chemical-weapons use in Syria.

Returning to the issue of humanitarian access, it is no surprise that sustained humanitarian access from Damascus remains elusive in far too many parts of Syria. For the 3 million people living in Idlib alone, cross-border humanitarian assistance is a vital lifeline. United Nations cross-border deliveries are authorized by resolutions 2165 (2014) and 2393 (2017), and must be enabled by the parties to the conflict. To that end, the United States strongly supports the Secretary-General's assessment noted in the September report (S/2018/845) that the renewal of the cross-border humanitarian assistance mechanism of the United Nations, as set forward by resolution 2165 (2014) and subsequent resolutions, is vital for some 5 million Syrians who currently depend on those cross-border humanitarian deliveries.

In other areas like Rukban, the Syrian Government has kept civilians under siege by denying humanitarian aid to the camp. While we look forward to the arrival of a joint United Nations-Syrian Arab Red Crescent convoy reaching Rukban, we need to be clear that this is only a first step in addressing the dire humanitarian conditions people in Rukban face every day.

The United States has offered the United Nations all the necessary security assurances to allow that delivery to proceed. But a one-time delivery is not good enough. A one-time delivery does not allow for safe, rapid, unhindered and sustained access. Moscow and Damascus must ensure that the United Nations has regular and unimpeded access to provide humanitarian assistance to Rukban and all areas in need throughout Syria.

As the Secretary-General's report also notes, yet another month has gone by with no uptick in humanitarian access, even to territories that are now under regime control. Despite shifting battle lines and territorial control, there has been no improvement in the ability of relief organizations to reach those in need.

That is why the United States fully supports the United Nations assessment that conditions in Syria are not yet conducive to large-scale refugee returns. The Al-Assad regime continues to do little to demonstrate its willingness to create security and humanitarian conditions on the ground that would allow people to feel safe voluntarily returning to their homes. Reported conditions of continued insecurity and regime reprisals, arbitrary arrests and disappearances, such as in the south-west of Syria, demonstrate that the international

standards for refugee returns — and indeed, the removal of the cause of well-founded fears of persecution that led refugees to flee in the first place — have not yet been met.

Without the verifiable repeal of Law 10 and other similar laws, Syrian refugees and internally displaced persons (IDPs) face credible fears over their ability to return to their homes and rebuild their lives in safety and dignity, without prejudice to the demographic makeup of Syria. Syrian refugees and IDPs must be allowed to make their own decisions about returns that are safe, free and informed, and not premature or under pressure.

The United States is the leading donor of humanitarian assistance for the Syrian response, providing more than $9 billion in aid throughout Syria and to neighbouring countries, which have hosted more than 5.6 million Syrian refugees since the start of the crisis. The United States is proud of its long-standing and significant support for the people of Syria. However, the responsibility for the safety, dignity and well-being of Syrians belongs first and foremost to the Syrian authorities, not to Syria's neighbours, the international community or donors. We therefore call on the Syrian regime to uphold its most basic obligations to the Syrian people under international law, as well as their obligations to the Council, including by allowing for sustained humanitarian access to territories under their control. The regime's excuses have never been acceptable, but absent of the most basic signs of progress, those excuses are increasingly implausible.

Finally, I want to reiterate that we must move forward with the formation of the constitutional committee as quickly as possible as a first step towards an irreversible political transition, in accordance with resolution 2254 (2015). This is not an artificial deadline. The years of suffering of millions of refugees and IDPs argue strongly that the parties and the United Nations must seize the closing window of opportunity provided by the Idlib ceasefire and act now. We are talking about saving people's lives. A timeline that does so as quickly as possible is not an artificial deadline; it is a moral necessity and precisely why we have the Council and the United Nations and why it is essential to act now. The constitutional committee represents an important opportunity to improve humanitarian conditions throughout Syria by securing an end to the conflict. We have no time to lose. We must not tolerate the imposition of more artificial delays. We must see that committee launched. Shame on us all if we do not now expend every effort to prevent another humanitarian tragedy in Syria.

Mr. Delattre (France) (*spoke in French*): I would like to begin by thanking the Under-Secretary-General for Humanitarian Affairs and Emergency Relief Coordinator, Mr. Mark Lowcock, for his ever-helpful and informative briefing, and by commending his tireless efforts, as well as those of his team, in responding to the extreme humanitarian emergency in Syria.

In the aftermath of the quadripartite summit that President Erdoğan convened in Istanbul on Saturday with President Macron, President Putin and Chancellor Merkel, I would like to reiterate that the humanitarian situation will be lastingly improved only with a long-term ceasefire and a credible political solution. That was the challenge at the Istanbul summit, which we thank the Turkish authorities for convening, and it marked an important step in that direction. In their joint statement, the four leaders demanded the full and lasting implementation of the ceasefire in Idlib, asked that the constitutional committee meet by the end of the year and called for free elections to be held under the supervision of the United Nations with the participation of all Syrians, including members of the diaspora. It is the implementation of that road map that will bring peace and stability to Syria and put an end to the suffering of the Syrian people, which has gone on for too long.

At the summit, the Presidents of France, Turkey and Russia and the German Chancellor recalled the imperative that all humanitarian organizations have quick, safe and unhindered access to all of the populations that need assistance in Syria. That is not the case today, as Mr. Lowcock pointed out, due to the Syrian regime's determination to manipulate and politicize humanitarian aid. In concrete terms, in order to relieve the suffering of Syrians and overcome this challenge, we must remain mobilized around three essential and complementary priorities: the protection of civilians, the guarantee of humanitarian access, which I just mentioned, and a lasting political solution in Syria.

The first priority is the protection of civilians and humanitarian and medical personnel. As Mr. Lowcock pointed out, the Russian-Turkish agreement on Idlib temporarily averted a bloodbath with an offensive that

would have had disastrous humanitarian, migratory and security consequences throughout the region. The quadripartite summit on Saturday reaffirmed the importance of that ceasefire not being a temporary freeze in the situation, but rather a long-term solution that allows us to stabilize the situation in Idlib. In that context, the protection of civilians must be a top priority for all stakeholders. All parties must respect their obligations under international humanitarian law. We must also do everything to protect humanitarian and medical facilities and personnel. It must be hammered home that the attacks on hospitals and health workers are war crimes and that the perpetrators will be held accountable.

With regard to refugees, the conditions for their safe, dignified and voluntary return are not yet being met. The quadripartite summit identified those conditions, of which there are three aspects, namely, the need to be protected from armed conflict, arbitrary arrests and political persecution, respect for the right of ownership and access to basic services. We are far from attaining that, and it is clearly down to the Syrian regime. Despite announcing the repeal of Law 10, on forced expropriations, the regime does not seem ready to abandon its strategy of demographic engineering. We must continue to strongly oppose that strategy, which has serious and irreversible consequences and is one of the main obstacles to the return of refugees and displaced persons. Let us not be fooled by the regime's tale: it is not the absence of reconstruction that is preventing the return of refugees. It is the lack of credible progress in the political process, which is an indispensable process in creating the conditions for their return to be made possible within the framework guaranteed by international law.

The second priority is the guarantee of safe, complete and unhindered humanitarian access throughout Syria. The Syrian regime incessantly continues its strategy of the political instrumentalization of humanitarian aid — which constitutes the height of cynicism — by imposing unacceptable obstacles to the delivery of aid and disregarding the fundamental principles of international humanitarian law. Access to aid is essential for all parties, especially in hard-to-reach areas. It is unacceptable that the regime has been blocking inter-agency convoys for over two months now and is putting in place a punitive strategy by impeding the delivery of aid to the reconciled areas. In addition to convoys, humanitarian actors must be able to access the most vulnerable populations throughout the territory, based on the needs of those populations and not the authorizations that are arbitrarily handed out by the regime.

It is imperative that the entire population in need benefits from humanitarian aid. We call on actors with influence over the regime to ensure that all convoys can travel safely and unhindered throughout the country, in accordance with the relevant Security Council resolutions and international humanitarian law. I wound mention in particular the extremely worrisome situation in the Rukban camp, where 50,000 people are living in nightmarish conditions with no humanitarian convoy having been able to access it since January. I refer as well to the people displaced from Afrin who have taken refuge in the Tal Rifaat area, where they have been living in deplorable conditions for months. I am recalling these facts at a time when those people are preparing to face the rigours of a sixth winter of war.

I would also like to recall the indispensable and irreplaceable nature of cross-border humanitarian aid, which provides vital support to hundreds of thousands of people every day. More than 900,000 people were able to benefit from such help last month. The Council will soon be looking into the renewal of resolution 2165 (2014), and we call on members to demonstrate unity and shoulder their responsibility so that that important gain is preserved. We must be able to access populations in need by the fastest and most effective means possible. I emphasize in particular the magnitude and the urgency of the needs of populations in the north-east who have been liberated from Da'esh, where the coalition is working to stabilize the area. The situation calls for the United Nations to significantly and rapidly step up its work in that area, including through the cross-border delivery of aid. I formally call on the Organization to do just that.

The third priority concerns the launching of a sustainable political process, which is essential to eliminating definitively the risk of any new horrific escalation. As the Istanbul summit underscored, the ceasefire in Idlib, which has enabled avoiding a humanitarian disaster, also provides us with a window of opportunity to launch a credible political process in line with resolution 2254 (2015), which serves as our common guiding light more than ever. The goal is to create the conditions necessary for a virtuous cycle with the improvement of the humanitarian situation and the launching of a true political process, both

of which are inextricably linked. In that regard, the calls of the international community are clear. On Friday (see S/PV.8383), Council members together with Mr. De Mistura called for the establishment of a constitutional committee, for which the United Nations has a mandate, as soon as possible, and, on Saturday, the Istanbul summit communiqué called for the committee, an initiative of two of its participants, to be put in place by the end of the year. The formation of a constitutional committee is a necessary first step on the path of a credible political process that must be followed by the holding of free and fair elections under the supervision of the United Nations, with the participation of Syrian refugees and displaced persons in a safe and neutral environment.

Although the stabilization of areas liberated from Da'esh by the coalition is a priority, help to rebuild Syria is not on the agenda. There should be no ambiguity concerning the fact that assistance with reconstruction will be foreseeable only when an irreversible, credible and inclusive political transition has begun. To proceed otherwise would be to reward the intransigence of the regime and to rebuild on sand.

Rest assured that France will continue to spare no effort to improve the humanitarian situation in Syria and open the way to a political solution to the conflict.

Mr. Ndong Mba (Equatorial Guinea) (*spoke in Spanish*): Our delegation is grateful for the convening of this meeting and to Under-Secretary-General Mark Lowcock for his enlightening briefing.

After eight years of strife and a death toll of several hundred thousands, no one can deny that the Syrian people are exhausted by war, violence, permanent — and sometimes forced — displacement and the uncertainty of their future. When the Russian Federation and Turkey signed the agreement establishing Idlib as a demilitarized zone on 17 September, we, the members of Security Council, lauded it because we believed that that commitment, as well as the environment conducive to peace that it would create, would allow for restarting peace negotiations aimed at achieving a lasting solution to the conflict. However, the demilitarization of Idlib governorate should first of all improve the precarious humanitarian situation of the almost 3 million civilians living there and its surrounding areas. Despite the sharp decline in military offensives, the presence of radical terrorist groups jeopardizes attempts to stabilize that part of Syria. In that regard, it is important to remind the parties that any further escalation in the conflict would entail consequences inevitably causing harm to civilians. We call on the parties to commit to the demilitarization of the area and to implement it in line with their obligations under international humanitarian law.

The situation in the Al-Rukban camp, on the Syrian-Jordanian border, continues to be extremely worrying despite the fact that the Security Council has repeatedly called for it to be improved. As the report of the Secretary-General (S/2018/947) underlines, that camp hosts approximately 45,000 Syrians in terrible conditions. In order to remedy that situation and provide vulnerable people with protection and assistance, there is no option other than to guarantee access to humanitarian convoys in that area by the national parties to the conflict. In addition, the necessary conditions must be created to allow for the voluntary return of the mass of internally displaced persons to those cities and localities that have been liberated from the Islamic State. Moreover, we agree with the Secretary-General that in difficult-to-access areas, such as Deir ez-Zor governorate, which is currently the target of military attacks directed against the Islamic State, in Aleppo and Idlib, the United Nations Monitoring Mechanism for the Syrian Arab Republic should spare no effort to ensure cross-border assistance without restrictions pursuant to resolutions 2165 (2014) and 2393 (2017), thereby allowing cross-border assistance to reach those in need by the most direct routes so those who are vulnerable continue to enjoy access to the vital assistance they require.

With regard to Deir ez-Zor governorate, the Republic of Equatorial Guinea believes that it is necessary to avoid an increase in violence at all costs. Where hostilities are already occurring, we must ensure that the parties do everything possible to avoid the use of explosive weapons in populated areas and that combating terrorist groups is conducted in accordance with obligations under international humanitarian law. Moreover, it is essential to ensure that civilians who want to flee to other areas can enjoy the freedom of movement. No one, however, must be forcibly displaced from their homes, and those who stay must never become military targets.

The conflict in Syria cannot be resolved by military means. We can achieve a robust, long-term armistice only through a political process in accordance with resolution 2254 (2015).

Ms. Pierce (United Kingdom): I thank Mark Lowcock once again for a clear and stark briefing, as well as his entire team on the ground.

I would like to start by joining the representative of Kuwait in expressing our deepest condolences to the Government and the people of Indonesia for the plane crash.

I also want to say that I thought the joint statement delivered on behalf of Kuwait and Sweden earlier was very powerful.

I should like to begin not immediately with the humanitarian situation, but with the Istanbul summit commitments as outlined by the French representative, and I thank him very much for his briefing. I completely agree with what the French Ambassador said about the political process. The small group on Syria is meeting now in London. As we all noted last week (see S/PV.8373), we hope that that combination of commitments and meetings will see some real, concrete progress on both political and humanitarian tracks, but I think that, concerning the political side and Idlib, I would very much like to receive confirmation today that the Idlib agreement between Russia and Turkey will hold and that those 3 million civilians will be kept safe. I would like to receive confirmation today that the constitutional committee will indeed be set up by the end of the year. And I would like to know if that is something that both Syria and Russia agree should happen. I also agree with what my United States colleague about chemical weapons.

Turning to the humanitarian side, which is the main purpose of the meeting today, I want to underscore what the Under-Secretary-General said about humanitarian principles and the aid needing to go to people in the most need. It is very worrying that we do not have full independent needs assessments. Proper refugee return really cannot happen without that. I would be grateful to know from the Syrian representative – but also from the Russians – what has been done to address the United Nations concerns on the independent needs assessment on Rukban. I take the point that there may be a security risk. I think it would be very good if the Council could have more detail on what that security risk is and how it might be overcome. I want to recall that United Nations States Members are obliged to ensure safe and sustained humanitarian access. As such, the Council needs to hear that assurance today. It also needs to hear that something will be done about security and that the United Nations convoys will be able to get through to those desperate people. I think we keep ducking at that issue in the Council. We keep raising the issue and have not yet received a satisfactory answer. It would be very good to get clarity on that today.

I also wanted to note that, with regard to humanitarian access and refugee return, we need to include the issue of security, freedom from political persecution and from arbitrary arrest if communities are to feel safe and secure about returning to their homes.

Finally, I want to endorse the five asks that the Under-Secretary-General set out today. I want to echo the call for unity on renewing resolution 2165 (2014). I think that would be a very powerful signal of progress on the ground. I want to speak again about the importance of movement forward on the political process.

Mark mentioned the need for more generosity from donors in terms of funding some of the United Nations plan. I would like to say that, in response to the crisis, the British Government has committed $3.47 billion to Syria since 2012, and that includes $1.25 billion actually spent inside Syria itself. Notwithstanding that, I would like to echo what the French Ambassador said about reconstruction. There is a difference between humanitarian assistance and reconstruction money. Reconstruction money will be available from Western Governments only in the context of a credible, sustainable political process that redresses and addresses some of the underlying concerns in Syrian politics today.

Ms. Wronecka (Poland): I would also like to thank Mr. Mark Lowcock, Under-Secretary-General for Humanitarian Affairs and Emergency Relief Coordinator, for his comprehensive briefing. We support his five recommendations.

We have to acknowledge that the conflict in Syria has resulted in violence and violations of international law, including human rights law, and has brought suffering to the civilian population of Syria on a scale that is unique in today's world. Despite reaching unanimity in previously adopted resolutions — for example, resolution 2401 (2018) — we are still lacking substantial change on the ground. We understand that any solution is not entirely in our hands, but still we should try to do our utmost to find a possible way to provide life-saving aid.

The agreement between Russia and Turkey to establish a demilitarized area in the Idlib de-escalation zone allowed us to avoid risk of a humanitarian catastrophe. However, civilians across Idlib and surrounding areas have continued to face a range of protection threats, and massive humanitarian needs have persisted. The situation of the 3 million people in Idlib is a cause for very serious concern. We consider the agreement between Russia and Turkey a right move towards avoiding a humanitarian catastrophe. However, at the same time, we urge all parties to the conflict to ensure the full implementation of the agreement.

We reiterate our call to all parties to the conflict to implement the ceasefire to ensure unhindered and safe humanitarian access for all humanitarian actors to the whole territory of Syria, including cross-border delivery of humanitarian assistance, in particular in the Rukban area, as well as areas that have recently changed control. In that context, Poland would again like to strongly emphasize the need for full compliance by all the parties with their obligations under international humanitarian law and human rights law.

We also underline the obligation of all parties to the conflict to protect civilians and civilian infrastructure. The protection of civilians in armed conflicts should be at the centre of our debate. We must put in place practical measures to effectively prevent or minimize civilian casualties and incidental damage to civilian objects.

Humanitarian assistance is by definition dependent upon those who provide it, that is, humanitarian and medical personnel. We must not forget that their safety and security need to be prioritized. They must be protected while performing their tasks.

We would like to reiterate our strong call to all the parties with influence over the situation on the ground, especially the Astana guarantors, to take all the necessary actions to achieve a full cessation of hostilities throughout the Syrian territory.

The scale of the Syrian crisis and humanitarian needs remain enormous. In that regard, we are deeply troubled by the severe situation of the most vulnerable victims of this conflict — especially children, women, members of religious minorities and internally displaced persons. Those groups currently constitute half of the current population of Idlib. If they are not protected, we risk a humanitarian catastrophe that might also include a serious threat of sexual violence.

Let me conclude by underlining that there can be no military solution to the Syrian conflict. A political agreement remains the only way towards peace. In that regard, I would like to emphasize the importance of the establishment of the constitutional committee. That requires a genuine political transition in line with resolution 2254 (2015) and the Geneva communiqué, (S/2012/522, annex), negotiated by the Syrian parties within the United Nations-led Geneva process.

Mr. Tumysh (Kazakhstan): At the outset, I would like to say that we, as a country with a strong stance on achieving a world free of terrorism and on promoting dialogue among civilizations and religions, are deeply shocked by the tragic shooting in a sacred place of worship, the Tree of Life Synagogue in Pittsburgh, and on the holy day of the Sabbath. We offer heartfelt condolences to the families of the 11 victims and wish the injured a speedy recovery. Our hearts and solidarity are with the Jewish community of the United States and worldwide. My delegation strongly condemns such acts of anti-Semitism, hatred and bigotry, which should have no place in the twenty-first century, and therefore calls for greater action to ensure peace, harmony and mutual respect.

We also offer our condolences to the Government and the people of Indonesia for the tragedy that cost the lives of 189 passengers aboard Lion Air. We grieve their loss with our deepest sympathies and solidarity.

We thank Under-Secretary-General Mark Lowcock for his comprehensive and informative briefing. Kazakhstan welcomes the positive changes in Idlib following the creation of a demilitarized buffer zone, in particular, with the restoration of transport and communications. We believe that the Sochi agreement should be promptly implemented in full compliance with the norms and principles of international humanitarian law. This agreement will consolidate the progress achieved and provide an opportunity to begin political negotiations. At the same time, we condemn the provocative actions of terrorist organizations, including in Aleppo, that do not recognize the agreement. The international community should not allow terrorist groups to undermine these agreements.

Kazakhstan expresses its concern over the safety and protection of civilians in Syria's rural Deir ez-Zor governorate, where fighting has displaced more than 30,000 people since July. We have been informed that the internally displaced persons have settled in

makeshift camps in the governorate and are in urgent need of humanitarian assistance. We commend the United Nations for its efforts aimed at ensuring that there is sufficient food and nutrition and water, as well as sanitation and hygiene assistance, to satisfy the needs of the internally displaced people in the area.

Over the past month, many scores of civilians have reportedly been killed and injured, while up to 10,000 civilians remain trapped inside the Hajin area. Kazakhstan continues to urge all parties to respect their obligations under international humanitarian law and to take constant care to protect civilians and civilian infrastructure, including humanitarian personnel and assets.

We also express our concern over a large number of explosive devices left by Da'esh militants, and call for support of the United Nations initiative to undertake mine clearance in these territories. This will allow to eliminate unexploded ordnance, launch humanitarian operations and give refugees the opportunity to return to their homes. The international community should strengthen its efforts aimed at restoring Raqqa's infrastructure and at clearing the mines in its neighbourhoods since such efforts will allow hundreds of thousands of displaced people to come home. International humanitarian organizations should work more actively with local community structures to ensure that the refugees returns are voluntary and carried out safely and with dignity.

Kazakhstan calls upon the international community to support all parties to the inter-Syrian negotiation process aimed at achieving a peaceful solution to the crisis, and to use the previously mentioned positive progress to improve the humanitarian situation. Moreover, all interested parties should cooperate with the United Nations and its specialized agencies, and give equal attention to the humanitarian situation in all regions of the country. However, the humanitarian crisis requires a holistic and comprehensive approach, going beyond the simple delivery of aid.

Kazakhstan therefore offers its full support to Mr. Lowcock and Special Envoy Staffan de Mistura. We highly esteem the contributions of the Special Envoy in attempting to get the constitutional committee established and in promoting dialogue between the different formats on Syria.

Kazakhstan warmly welcomes the recent Istanbul summit attended by the leaders of France, Germany, Russia and Turkey. As the first summit on Syria to bring together the representatives of the small group and the Astana process, it demonstrated that we may be close to finding a solution to the crisis. As we noted earlier, Kazakhstan strongly supports the dialogue of the Astana format with other forums. This dialogue augurs well for new approaches to addressing both political and humanitarian issues. In this context, we encourage the outcomes of the summit, including those relating to the soon-to-be-created the Syrian constitutional committee. Moreover, given that the situation in Syria is gradually stabilizing, we hope that humanitarian assistance will reach the population in need through direct routes as quickly as possible.

Mr. Ipo (Côte d'Ivoire) (*spoke in French*): My delegation welcomes today's briefing on the humanitarian situation in Syria. We thank Mr. Mark Lowcock, Under-Secretary-General for Humanitarian Affairs and Emergency Relief Coordinator, for his excellent briefing.

Côte d'Ivoire welcomes the signing on 17 September by the Russian Federation and Turkey of the agreement establishing a demilitarized zone in the governorate of Idlib. This agreement prevented the much feared confrontation between the warring parties, thus avoiding the unprecedented humanitarian disaster that would have resulted. Côte d'Ivoire therefore urges all parties to resolutely support the implementation of the provisions of this agreement, in particular those relating to the withdrawal of heavy weapons and armed combatants from the demilitarized zone.

Indeed, the situation in Syria remains fragile, particularly in the governorate of Idlib, where the risk of renewed fighting cannot be ruled out. My country therefore calls on the actors in the Syrian crisis to exercise restraint and take the necessary measures to ensure safe, unhindered and sustainable access for humanitarian assistance to Syrian populations in need, both in Idlib and throughout the country. Côte d'Ivoire reminds the protagonists of the conflict in Syria of their responsibilities under international humanitarian law and the relevant provisions of resolution 2417 (2018). It also welcomes the continued multifaceted assistance of United Nations agencies, funds and programmes to populations living in areas affected by armed clashes.

My country would like to welcome the continuation of cross-border humanitarian assistance. It also calls for a renewal of the modalities set out in resolution

2165 (2014) and subsequent resolutions, so as to provide cross-border assistance, which is essential in view of the risks of a deterioration of the humanitarian situation in Idlib province.

My delegation remains convinced that a lasting solution to the Syrian crisis can only be found through a political process based on an inclusive dialogue among all stakeholders. In this regard, it welcomes the initiatives taken in the context of the Geneva and Astana processes and the recent quadripartite summit in Istanbul, all aimed at a cessation of hostilities and the return of lasting peace and stability in Syria. My country believes that there can be no lasting peace in Syria without accountability for the serious human rights violations in that country. It therefore urges all parties, including the States, civil society and United Nations agencies, to cooperate fully with the international, impartial and independent investigative assistance mechanism to ensure that armed persons or groups responsible for war crimes are held accountable before the competent international courts.

In conclusion, Côte d'Ivoire wishes to reiterate that a lasting solution to the current crisis in Syria requires an inclusive political process as well as the implementation of the conclusions of the Geneva communiqué of 30 June 2012 and the provisions of the Sochi Declaration of 30 January 2018.

Mr. Wu Haitao (China) (*spoke in Chinese*): China expresses its deep condolences for the victims on board Indonesia's Lion Air and expresses its sympathy to their families.

China thanks Under-Secretary-General Lowcock for his briefing. We have taken note of the Secretary-General's recent report on humanitarian relief efforts in Syria (S/2018/947).

At present, the overall situation in Syria remains calm. The memorandum of understanding between Russia and Turkey on stabilizing the de-escalation zone in Idlib is being implemented. The situation in Idlib has been eased, the conflicts across the entire territory of Syria are on the decline, and a more favourable environment for improving the humanitarian situation in Syria has therefore been created. At the same time, years of conflict have resulted in massive humanitarian demand in the country, featuring a large population in need of assistance and severely damaged infrastructure.

The international community should continue to assist the Syrian people in cash and in kind, with the current focus on preparation for winter. We have noticed the gradual reopening of Nasib and other major crossing points along the Syrian-Jordanian border. Major road, power grid, water supply and other infrastructure are gradually being restored, thus creating a more favourable environment for the reconstruction of the country and the return of refugees. Only by steadily advancing the reconstruction efforts can expectations of the Syrian people be met and normal life be resumed. The international community should actively support the reconstruction efforts of the Government and the people of Syria, including enhanced efforts aimed at clearing explosive remnants of war.

All parties in Syria should bear in mind the future of the country and the well-being of its people, follow the relevant Council resolutions, maintain the ceasefire, halt all hostilities, settle differences through dialogue and consultations and expeditiously improve the humanitarian situation. The United Nations and the international community should strengthen communication with the Syrian Government and provide assistance to all areas in need in Syria. At the same time, humanitarian relief efforts in Syria should be guided by the principles of neutrality, impartiality and non-politicization and be based on respect for Syria's sovereignty, independence, unity and territorial integrity.

Terrorist groups continue to threaten Syria's security and hinder humanitarian-relief efforts. The international community should be firm in combating all terrorist organizations listed by the Council, consolidate the results of counter-terrorism efforts and restore stability in Syria.

China has been making tireless efforts to alleviate the humanitarian situation in Syria. Last July, President Xi Jinping announced new initiatives at the eighth ministerial meeting of the China-Arab States Cooperation Forum to provide humanitarian assistance to Syria and its affected neighbours, which we will actively implement. Not long ago, China delivered power equipment, such as cables and transformers, to Syria, which we believe will play a positive role in improving Syria's power infrastructure and ensuring people's basic livelihoods. China remains committed to helping the Syrian people.

Ms. Guadey (Ethiopia): Like others, I would like to start by expressing our sincere condolences to the people and the Government of Indonesia following the plane crash.

We would like to thank Under-Secretary-General Mark Lowcock for his briefing. We express our appreciation to the United Nations and its humanitarian partners for their continued work to provide humanitarian assistance in Syria.

As the Secretary-General stated in his report (S/2018/947), we are witnessing a reduced level of hostilities in a number of areas in Syria. Due to the agreement reached between Russia and Turkey, military activities have also dramatically decreased in Idlib. In that regard, we appreciate the continued efforts of Russia and Turkey and stress the importance of the sustained implementation of the de-militarization agreement, which averted a possible humanitarian catastrophe in Idlib.

Despite those encouraging developments, we also note with concern that the humanitarian needs in Syria remain acute. There are some areas, such as Rukban camp, where humanitarian conditions are grave. In addition, humanitarian access remains a challenge in providing aid to hard-to-reach areas, as well as to places that have seen a change of control. Civilians also continue to be affected by the direct or indirect consequences of hostilities.

Amid those conditions, we appreciate that the United Nations and its humanitarian partners have reached out to millions, providing life-saving assistance to those in need through regular programming and cross-border assistance, which, according to the report of the Secretary-General, remains an indispensable part of the humanitarian response. As inter-agency convoys have not been deployed since August, we encourage the United Nations to continue its communication and engagement with Syrian authorities to ensure that humanitarian access to priority areas that change control is ensured. Furthermore, the United Nations and its humanitarian partners still require safe, rapid, unhindered and sustained humanitarian access to effectively respond to the continued needs of millions of Syrians. The protection of civilians and civilian facilities also remains imperative.

Finally, as we discussed last week (see S/PV.8383), finding a comprehensive and inclusive political solution, based on resolution 2254 (2015), is the best way to end the suffering of the Syrian people — hence, our continued support to Special Envoy De Mistura as he makes every possible effort to revitalize the political process, starting with the establishment of the constitutional committee in his remaining few but critical weeks. In that regard, we welcome the outcome of the Quartet summit held in Istanbul on Saturday, which we believe could contribute to the relaunching of the political process.

Mr. Meza-Cuadra (Peru) (*spoke in Spanish*): I, too, would like to begin by extending condolences to the Government and the people of Indonesia following the tragic plane crash.

We welcome today's meeting and thank Mr. Lowcock for his detailed briefing.

We would like to underscore the considerable reduction in the level of violence in Idlib and surrounding areas following the agreement reached in September between Turkey and the Russian Federation. At the same time, we are concerned about the fact that millions of civilians in Idlib and other areas in Syria remain extremely vulnerable. As mentioned, the humanitarian situation in Idlib is far from encouraging. The detonation of improvised explosive devices and other reprehensible acts of violence attributed primarily to Hay'at Tahrir Al-Sham continue to claim lives and injure civilians. Malnutrition and the spread of disease have increased. We believe that it is necessary to prevent further deterioration and reverse the humanitarian situation in Idlib and the rest of Syria. The agreement brokered by Turkey and Russia must be taken advantage of to more effectively and sustainably protect civilians, in line with international humanitarian law and international human rights law.

We note that the situation in Rukban also requires special attention. The 45,000 people who remain in the camp endure uncertain living conditions, do not receive medical care and find it very difficult to source water and food. We would therefore like to underscore the importance of providing access to the area for United Nations and other humanitarian workers and highlight the need to support their action in the coming months. In addition, we welcome the fact that the return to Raqqa is now possible and underscore the need for the international community to continue working to reduce the high risk posed by the presence of many improvised explosive devices. We stress that the vulnerability of millions of internally displaced persons requires,

among other urgent measures, the immediate, safe and unhindered access of humanitarian assistance, in particular cross-border assistance. It is also important to ensure the right of refugees and internally displaced persons to voluntarily return to their homes and businesses, in a safe and dignified manner, according to internationally agreed guidelines.

We would like to conclude by praising the tireless and courageous efforts of the Office for the Coordination of Humanitarian Affairs and its staff to provide an effective humanitarian response in Syria, as well as by imploring all parties concerned to commit to finding a political solution to the conflict, starting with the establishment of a constitutional committee by the end of the year.

Mr. Van Oosterom (Netherlands): First of all, let me join others in offering condolences to the families of the victims of the terrible plane crash in Indonesia.

Let me thank Mr. Mark Lowcock for his sobering briefing. Let me also thank the humanitarian workers in Syria for their tireless efforts to improve the lives of those in need. Those colleagues from the United Nations, as well as from international and local non-governmental organizations, including the White Helmets, deserve our deep respect, gratitude and support.

I will focus on three points: first, the need for humanitarian and cross-border access; secondly, the need for sustained de-escalation in Idlib and respect for international humanitarian law; and, thirdly, the need for a United Nations-led political process.

First, with regard to access, humanitarian needs remain high throughout the country, after nearly eight years of continuous warfare. We are deeply concerned about the lack of access within Syria, even to areas now in the hands of the Syrian regime. The regime does not allow inter-agency convoys to reach those most in need. It has not done so since 16 August. Several areas to which access is being denied were previously in the hands of the Syrian opposition. It is unacceptable that civilians continue to be collectively punished by the regime for living in former opposition-held areas. The Syrian Government should not be allowed to continue interfering in the delivery of life-saving aid. We cannot accept a situation where so-called hard-to-reach areas are only hard to reach because of artificial barriers imposed by the Syrian regime. It has a responsibility towards all its citizens. The Syrian regime must guarantee access for objective needs assessments and for distribution aid to those most in need. These are crucial preconditions for the delivery of principled humanitarian aid. We need access for the delivery of aid, for the independent assessment of needs and for monitoring the situation in the light of the protection thresholds of the Office of the United Nations High Commissioner for Refugees (UNHCR).

The humanitarian needs in Idlib are among the most serious in the country. Three million civilians remain trapped between the Syrian Army and the Turkish border. On the basis of the information that Mr. Lowcock has just provided, it is clear that cross-border assistance is currently an indispensable lifeline for civilians in Idlib. In September, more than 600,000 people received food aid from Turkey through that mechanism. The message from the Council should be clear that it is a matter of life and death to continue this humanitarian channel until the end of the year. There is no alternative to cross-border aid if we want civilians in Idlib to survive.

We are concerned about Mr. Lowcock's report that the convoy has not yet reached Rukban. The situation of the 45,000 people in that camp on the Syrian-Jordanian border is desperate and a long-term solution for them is long overdue. We call on the parties involved to work to come up with solutions, taking the dignity of those trapped there into account.

My second point concerns the need for sustained de-escalation in Idlib and respect for international humanitarian law. As others have done, we welcome the drop in violence in and around Idlib since the conclusion of the memorandum of understanding between Turkey and Russia. It has reduced the immediate risk of a humanitarian catastrophe and brought the people of Idlib a moment of respite. It is still essential to preventing an all-out military offensive in Idlib. We call on all the parties to translate the reduced violence in Idlib into a sustainable ceasefire that can lead to a negotiated solution for Idlib.

Respect for international humanitarian law is an obligation for all parties to the conflict in Syria. That includes protecting civilians and facilitating principled humanitarian action. Civilians need to be able to leave Idlib freely if they wish to do so of their own free will. In addition, the existing de-confliction measures should bring an end to the inhumane attacks on hospitals that we have witnessed throughout the war in Syria. However, de-confliction should not turn

into a thinly veiled mechanism for granting approval for humanitarians and doctors to operate. In our view, humanitarians and doctors must always be able to do their work. The responsibility for any attack now lies fully with the Syrian regime and its allies supporting them from the air. Those responsible will be held to account.

My third point has to do with support for a United Nations-led political process. On Friday, when the Council discussed the constitutional committee (S/PV.8383), I stressed that the committee is not a goal in itself but rather part of the broader United Nations-led political process based on the Geneva communiqué (S/2012/522, annex) and resolution 2254 (2015). Peace and stability in Syria can be found only through a political solution that is inclusive of all Syrians. The Kingdom of the Netherlands therefore strongly disagrees with premature calls for reconstruction aid and the return of refugees. There will be no reconstruction aid for Syria from the European Union until a comprehensive, irreversible, credible and inclusive political transition is firmly under way. It should be negotiated by the Syrian parties to the conflict on the basis of resolution 2254 (2015) and the Geneva communiqué. We see the role of the United Nations, and especially that of Staffan de Mistura and his successor, as crucial in this context. I would once again like to draw the Council's attention to a statement by eminent jurists setting out clear standards for reconstruction aid in Syria. They gave us their legal opinion on 24 September that

> "without adherence to these standards, the provision of reconstruction assistance can facilitate past, continuous or new violations of international law, which would in turn give rise to complicity or shared international responsibility".

I should also underline that any transition requires accountability for acts committed during the conflic, which is also specified in the Geneva communiqué. In order to achieve sustainable peace, those suspected of war crimes and crimes against humanity in Syria must be held to account. If the Council continues to be blocked by a veto in referring the matter to the International Criminal Court, we will continue our accountability efforts elsewhere.

At the moment Syria is not ready for the safe, voluntary and dignified return of refugees, which can be facilitated only when the protection thresholds are in place, and UNHCR's involvement is crucial to monitoring the protection of Syrian civilians.

In conclusion, we fully support the five asks that Mr. Lowcock presented just now. We need to see rapid and meaningful improvements for humanitarian access throughout Syria. Cross-border aid remains essential to reaching civilians in Idlib, many of whom are internally displaced and depend on humanitarian aid for survival. We emphasize the points made by our French colleague on the need for a sustainable political solution. Meanwhile, let us make sure that the United Nations can alleviate the needs of the civilians in Syria who have suffered so terribly for so long already.

Mr. Orrenius Skau (Sweden): I too would like to express our deepest condolences to the Government and the people of Indonesia for the plane crash this morning.

The representative of Kuwait has already spoken on behalf of Sweden as co-penholder, but after listening to this morning's statements, I want to take the floor just to highlight a few issues on which I hear a broad convergence of positions. Fortunately, those areas also seem to overlap with the asks put forward this morning by the Under-Secretary-General.

First, I want to touch on respect for humanitarian principles and international humanitarian law, including access to Rukban and other hard-to-reach areas, as well as protection, including in Deir ez-Zor and, more generally of hospitals and other health-care facilities and schools. That also relates to the importance of independent needs assessments and monitoring for principled humanitarian action, as the Under-Secretary-General discussed this morning. The second point I want to highlight is the implementation of the Russian-Turkish agreement on the ceasefire in Idlib in order to prevent a humanitarian catastrophe there. Thirdly, in the light of the above we need to renew the modalities in resolution 2165 (2014) on humanitarian access, including for ensuring its continued delivery to more than 3 million civilians in Idlib and across northern Syria.

Finally, it seems that we all agree that the humanitarian situation can be alleviated only if we make progress on the political track, through a political solution based on resolution 2254 (2015). We hope that Council members can come together around these points in a serious effort to alleviate the enormous human suffering in Syria.

Mr. Safronkov (Russian Federation) (*spoke in Russian*): First of all, of course, we want to express our sincere condolences to the Governments and the peoples of the United States and Indonesia in the wake of their recent tragedies.

We thank Mr. Lowcock for his comprehensive briefing. We very much appreciate the work of United Nations humanitarian agencies, particularly when it is conducted impartially in strict observance of the United Nations principles for the provision of humanitarian assistance.

Against a backdrop of the successful liberation of large parts of Syria from terrorists, efforts are continuing to restore normal life and return refugees and internally displaced persons to their homes. We must unite to collectively and actively assist in those processes and not to obstruct them on politicized pretexts or with dozens of frankly incomprehensible conditions. The Russian initiative to convene an international conference on Syrian refugees was designed to help unite those efforts. The authorities in Damascus have given security guarantees to those who want to return home and are working on a legal framework that would facilitate their rapid reintegration.

The flow of Syrians returning from Lebanon is increasing. We can see the effect that the opening of the Nasib crossing has had on the Syrian-Jordanian border. People on both sides of the border have been waiting impatiently for several years for this transportation artery, which supports regional, trade and human links, to start functioning again. Such steps deserve every encouragement for the contribution they make to achieving a principle as fundamental to the stabilization of the situation in the Middle East as the establishment of good-neighbourliness.

The implementation of the memorandum of understanding on stabilizing the situation in the de-escalation zone in Idlib based on the high-level Russian-Turkish agreement is proceeding successfully. Our Turkish partners are doing everything they can to get the armed groups and their heavy weapons out of the demilitarized zone. However, the militias based there continue to violate the terms of the agreement by firing on nearby villages, and there are new reports of suspicious movements of Al-Nusra Front members and White Helmets with toxic substances. We should point out that the de-escalation agreements were temporary from the start, and no one has taken the job of eliminating the terrorist presence in Syria off the agenda. If the provocations by radical elements continue, Russia reserves the right to support effective action by the Syrian Government to eliminate terrorist strongholds.

We share the Secretary-General's concern about the disastrous humanitarian situation in Rukban. And in general, the humanitarian situation in Syria would improve if the coalition stopped violating the Syrian Arab Republic's sovereignty through its illegal presence, by which I particularly have in mind the well-known Al-Tanf military base in the south of the country and the coalition presence east of the Euphrates. The economic activity in those illegally occupied areas, without coordinating with the Government of the Syrian Arab Republic, also raises numerous questions generally.

Leaders from Russia, Turkey, Germany and France met in Istanbul on 27 October and adopted a joint statement, and we are grateful to the President of Turkey for that important unifying initiative. The summit participants expressed a general disposition to cooperate with a view to further normalizing the situation in Syria, for which the conditions have been established in the framework of the Astana format through the efforts of Russia, Turkey and Iran. A commitment was expressed to a political settlement under the auspices of the United Nations in accordance with resolution 2254 (2015) and with full respect for Syria's sovereignty, independence and territorial integrity. Incidentally, the question of collaboration between the Astana process and the so-called small group was also discussed at the Istanbul summit.

The importance of getting the work of a constitutional committee started based the decision of the Syrian National Dialogue Congress in Sochi was acknowledged, and we hope that it will be able to start before the end of this year, assuming that the conditions are conducive. The professionals, however, realize that it must be recognized as legitimate by all parties if it is to be efficient and effective. It is important that everyone understands that it is the people of Syria who are responsible for its fate, and it is they who must determine every aspect related to their State's structure during the course of the dialogue. After so many years of war, the country will have to undergo a process of national reconciliation, one way or another. And Syria has always been distinguished by a high level of national reconciliation. The United Nations, the international community and Syria's friends can help, but imposing ready-made solutions, ultimatums

or deadlines on the Syrians is wrong and futile. And in any case, the empirical evidence shows that trying to impose solutions in any regional crisis does not work.

In answer to the numerous questions that have been directed to us, I would like to inform the members of the Council that the joint statement by the leaders who participated in the quadrilateral summit in Istanbul will be circulated as an official Security Council document in the next few minutes, and I can assure the Council that is contains exhaustive answers. I thank the Council members who supported the joint statement and thereby affirmed their willingness to work constructively in the quest for a political settlement of the conflict in Syria.

I would like to bring to the attention of my colleagues who continue to use terms such as "the Syrian regime" the fact that such usage is contrary to all the relevant Security Council resolutions, which speak only of the Government of the Syrian Arab Republic. A respectful approach is needed, and it would also help to advance the political process.

The President (*spoke in Spanish*): I will now make a statement in my capacity as the representative of Bolivia.

We would like to thank Mr. Mark Lowcock, Under-Secretary General for Humanitarian Affairs, for his briefing.

My delegation reiterates its position that it will be possible to reduce the violence throughout the Syrian territory within the framework of resolution 2401 (2018). In that context, we want to emphasize the local agreements and initiatives promoted by the Astana guarantors, as well as the agreement between Russia and Turkey that has enabled the establishment of a demilitarized zone within Idlib province, helping to reduce violence, evacuate those in need and facilitate access for humanitarian assistance. We encourage the agreements to continue with the aim of enabling people to return to normal life and to their places of origin. We want to remind all concerned that their return must be voluntary and unhindered, ensuring people's full dignity and safe conditions. In that regard, we urge that the clearing of unexploded ordnance, explosive remnants of war and landmines in residential areas continue.

We reiterate that there can be no military solution to the conflict in Syria. On the contrary, we emphasize that the parties must respect international law and especially international humanitarian law, in regard to which we want to highlight the agreements reached at the meeting held on 27 October between the top-level authorities of Turkey, France, Russia and Germany. The meeting should help to reinforce the dialogue ensuring the ceasefire in Idlib province, in order to protect the lives of millions of civilians and prevent violence against civil infrastructure such as hospitals and schools. We urge the forthcoming high-level meetings to be held in the next few weeks to strengthen those agreements and enable lives to be saved and the humanitarian situation to be improved. In that regard, we consider that any effort made or action taken in the framework of resolution 2401 (2018) that provides for combating armed groups or groups designated as terrorist by the Security Council should also take into account the protection of civilians within the framework of international law. We call on the Council's permanent members who have influence on the ground to exercise it in that regard so that the fight against these terrorists and armed groups does not involve the loss of more innocent lives.

Lastly, we want to emphasize that the only way out of this conflict is to find a sustainable, peaceful solution through an inclusive, Syrian-led political process that meets the legitimate aspirations of the Syrian people in full respect for their sovereignty and territorial integrity, within a framework of resolution 2254 (2015) and the Geneva process, under the auspices of the United Nations, as agreed in the Sochi declaration, for which it is vital to continue the efforts aimed at forming a credible, balanced and representative constitutional committee.

I now resume my functions as President of the Security Council.

I give the floor to the representative of the Syrian Arab Republic.

Mr. Ja'afari (Syrian Arab Republic) (*spoke in Arabic*): I would first like to join my colleagues in expressing our condolences to the Government and the people of Indonesia in the wake of the civilian plane crash.

It is really astonishing that some Western delegations of permanent members of the Security Council deliberately insist on mixing humanitarian and political issues and continue to obstruct honest, transparent and non-politicized humanitarian efforts. Those delegations brag publicly that there will be no

humanitarian action in Syria without a response to their countries' interventionist political agendas. In fact, we have heard today those same delegations set a number of political preconditions that try to strip humanitarian action of its meaning and politically invest in the suffering of the Syrian people.

I recall that today's meeting coincides with an attack committed by the so-called coalition once again against the Hajin region, in eastern Deir ez-Zor, using white phosphorus, which is prohibited worldwide. That attack caused the death of an entire family — a mother, a father and their children. The Council's meeting held on 24 October (see S/PV.8383) coincided with a criminal terrorist attack carried out by terrorist groups in Idlib against Aleppo, which launched 40 missiles that killed dozens of civilians and injured dozens more. The Council's meeting held on 17 October (see S/PV.8373) coincided with an attack by coalition aircraft on Al-Soussa and Albubadran, in Deir ez-Zor, also killing dozens of civilians. All of that is not seen by the Western States that have talked about humanitarian needs in my country or by the Office for the Coordination of Humanitarian Affairs (OCHA), the United Nations humanitarian agency.

Allow me to congratulate you, Mr. President, and through you your friendly country, the Plurinational State of Bolivia, for wisely conducting the work of the Security Council during the month of October. Your presidency has carried out the task entrusted to it by genuinely seeking to maintain international peace and security while respecting the provisions of the Charter of the United Nations. Many Member States of the Organization are therefore quite proud of that Bolivian high performance.

During the various meetings held recently between Syrian officials and the Under-Secretary-General for Humanitarian Affairs, Mr. Mark Lowcock, the need to coordinate joint actions between the two parties for a better understanding and to remove obstacles and develop the role of the United Nations in the humanitarian realm in accordance with General Assembly resolution 46/182, which governs OCHA, was underscored — in spite of the difficulties caused by a decrease in financing the United Nations humanitarian action in Syria, which Mr. Lowcock mentioned today, and due to unilateral coercive economic measures undertaken by the United States and the States members of the European Union and others against the Syrian people. They claim that there are 10 million Syrians in need of humanitarian assistance, while those States impose unilateral coercive economic measures against 23 million Syrians.

The Syrian Government is convinced of the importance of the role that Member States attach to the United Nations. Damascus continues to count on that role to help Syrians who have suffered from the terrorist war imposed against my country, Syria, a role that preserves the credibility and effectiveness of the Organization and respects the sovereignty, independence and territorial integrity of the Syrian Arab Republic. All 28 of the Council's political and humanitarian resolutions reaffirm the need to safeguard the sovereignty, independence and territorial integrity of Syria and its people. Such a neutral, independent and non-politicized role that does not yield to blackmailing by certain States is of course based on the Charter and United Nations resolutions.

We listened carefully to the briefing by Mr. Lowcock, and we read with interest the report under consideration (S/2018/947). Allow me to make some comments that will no doubt respond to the questions from some colleagues.

First, there is a crucial need to carry out a transparent, objective and professional dialogue to modify the reporting mechanism concerning the humanitarian situation in Syria so that the goal of the reports can truly be to provide assistance to the Syrians in need of it. Continuing to submit these reports on a monthly basis is a waste of time, money and human resources. We stress that they should be replaced by quarterly reports, because much of the information in the current monthly reports is outdated. For example, in the report before us we are told of what took place a month or two ago, whereas we should really be looking at what is taking place in the current month.

Secondly, there is an urgent need for a transparent, objective and professional discussion on the content of the reports so that they are not used by some to exert political pressure and blackmail. It is unreasonable when everyone has understood that a terrible terrorist war has been taking place in Syria for the past seven years, and after the confessions made by senior officials of certain States that their Governments financed and sponsored terrorism — not to mention those who spoke before the Congress and the Senate, or the previous Chief of Staff and the previous Minister of Defence — and yet the authors of the reports continue

to draft them in a negative, politicized way against the Syrian Arab Republic and its institutions, especially given that everyone knows by now that the terrorist groups continue to use civilians as human shields and hospitals and schools as military bases from which to launch their terrorist operations, and that the source of lies targeting the Syrian Government are the terrorist groups and their supporters.

That is all the more so given that the reports include many errors and their authors deviate from their mandated task, while also deliberately ignoring the observations and comments provided to the Secretariat by the Syrian Arab Republic. In fact, we have submitted 56 formal responses to OCHA's reports, including clear answers to all of the questions, but those comments were never reflected in subsequent reports. We have been trying to establish cooperative links with OCHA for years, and we provide OCHA with all the necessary information. Nevertheless, our comments do not arouse the interest of OCHA officials. The remarks from witnesses and White Helmets — and yellow helmets and red helmets — are taken by them, but not the information provided by the Syrian Government.

Thirdly, it is surprising that the report claims that the Syrian Government did not authorize the humanitarian convoy plan for September and October. What he heard today from Mr. Lowcock confirmed that. But the truth is that my country's Government asked the United Nations to include the liberated areas in the plan, which were already included in the assistance plan for besieged and hard-to-reach areas. We have requested that those areas be included in the periodic programme plan for aid delivery. However, the United Nations has not included those liberated areas in the aid plan. Why? I do not know. Mr. Lowcock has the answer.

Fourthly, with regard to the aid delivery to the Rukban camp, which, according to my geographic information, is a camp in Syria, because certain delegations have spoken as though it were a camp in Somalia or the Maldives, I underscore that the Syrian Government has given its approval to United Nations agencies to send a humanitarian assistance convoy to the camp. That would be done in cooperation with the Syrian Red Crescent and the International Committee of the Red Cross, directly from the Syrian Arab Republic. However, having reached the 55-kilometre mark on 26 October, the United Nations convoy returned swiftly to Damascus due to the deterioration of the security situation and reports of an imminent Da'esh attack that was going to be carried out against the convoy from the American-controlled zone, in spite of the assurances provided by the United States to the United Nations on the safety of the convoy. That is clear evidence that the United States is basically impeding the delivery of humanitarian assistance to the Rukban camp and is the main cause of the suffering of its civilian inhabitants. We recall that Da'esh terrorists moved some time ago from the Rukban area, which is under the control of American troops, and towards Al-Suwayda, attacking it and killing 300 civilians at dawn. Those terrorists then went back from Al-Suwayda to Al-Tanf, in the area of Rukban — that is apparently not in Somalia.

Fifthly, my country regrets that the authors of the report promote cross-border assistance in conformity with the directives of certain Western States, even though it has proven to be ineffective and not guaranteed to reach its intended civilians. That assistance is indirectly helping terrorists who seize it and use it for the continuation of their terrorist activities in Syria. For months, the Government of my country has been sending inquiries about the feasibility of that assistance, even if it is monitored by the so-called third party. We are still yet to receive answers in that regard.

Thanks to the safer and more stable situation on the ground due to the victory over terrorism and the Government's continuous rehabilitation of the areas that were destroyed by terrorists and a subsequent return to normal life, the conditions are now in place for the voluntary return of Syrian refugees who had left their homeland due to terrorism and unilateral coercive economic measures that deprived them of their livelihoods. In fact, we are seeing the return of thousands of Syrian refugees from abroad to Syria, in spite of the attempts of certain Western States to prevent them from doing so by intimidating them with flimsy pretexts and politicizing an exclusively humanitarian issue. Those States use this issue to implement their political agenda by linking the return of refugees to the political process. That is confirmed by what we have heard today from the delegations of certain Western States.

In conclusion, as we write the final chapter in the Syrian crisis, Syrians — those who have remained in the country and those who were forced to flee the country due to terrorism — are determined to work together to rid their country of the remnants of the terrorist war and rebuild it with their own hands, capabilities and expertise.

Pertaining to what certain delegations said about the situation in the city of Idlib, I would like to remind everyone in the Council that Idlib is a Syrian city. No one has greater concern than the Syrian Government for that city and its inhabitants, who have been used as human shields by terrorist groups.

My country reaffirms its commitment to the Sochi agreement of 17 September and welcomes any initiative to stop the bloodshed of Syrians. We welcome any initiative to bring safety and security to all of the Syrian territories that have been struck by terrorism. My Government also underscores that it will continue to combat terrorism until we liberate the last inch of Syrian territory from the clutches of terrorists and terrorism and from any foreign military force illegitimately present on Syrian soil.

The President (*spoke in Spanish*): The representative of the United Kingdom has asked for the floor to make a further statement.

Ms. Pierce (United Kingdom): I want to repeat something that I have said before in the Chamber. Criticizing the United Nations for doing its job should not be the task of anyone speaking in the Chamber. I know that we need to have free speech and I know that we need to be frank. But the United Nations, including the Office for the Coordination of Humanitarian Affairs, has done an outstanding job in Syria.

The meeting rose at 11.55 a.m.

United Nations S/PV.8385

Security Council

Seventy-third year

Provisional

8385th meeting
Tuesday, 30 October 2018, 10 a.m.
New York

President:	Mr. Llorentty Soliz	(Bolivia (Plurinational State of))
Members:	China	Mr. Yao Shaojun
	Côte d'Ivoire	Mr. Ipo
	Equatorial Guinea	Mr. Ndong Mba
	Ethiopia	Mr. Amde
	France	Mrs. Gueguen
	Kazakhstan	Mr. Tumysh
	Kuwait	Mr. Alotaibi
	Netherlands	Mr. Van Oosterom
	Peru	Mr. Meza-Cuadra
	Poland	Ms. Wronecka
	Russian Federation	Mr. Polyanskiy
	Sweden	Mr. Orrenius Skau
	United Kingdom of Great Britain and Northern Ireland	Mr. Allen
	United States of America	Mr. Cohen

Agenda

Peace and security in Africa

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18-34507 (E)

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The meeting was called to order at 10 a.m.

Adoption of the agenda

The agenda was adopted.

Peace and security in Africa

The President (*spoke in Spanish*): The Security Council will now begin its consideration of the item on its agenda.

Members of the Council have before them document S/2018/961, which contains the text of a draft resolution prepared in the course of the Council's prior consultations. I would like to thank all Council members for sponsoring the draft resolution, which is now a presidential text.

The Council is ready to proceed to the vote on the draft resolution before it. I shall put the draft resolution to the vote now.

A vote was taken by show of hands.

In favour:

Bolivia (Plurinational State of), China, Côte d'Ivoire, Equatorial Guinea, Ethiopia, France, Kazakhstan, Kuwait, Netherlands, Peru, Poland, Russian Federation, Sweden, United Kingdom of Great Britain and Northern Ireland, United States of America

The President (*spoke in Spanish*): The draft resolution received 15 votes in favour. The draft resolution has been adopted unanimously as resolution 2439 (2018).

I now give the floor to those members of the Security Council who wish to make statements.

Mr. Amde (Ethiopia): We very much welcome the unanimous adoption of resolution 2439 (2018) on the Ebola outbreak in the Democratic Republic of the Congo. We are pleased to partner with Sweden in facilitating the negotiation on the resolution. We thank all members for their flexibility and constructive engagement during the negotiation process, which has made it possible for us to adopt the resolution by consensus. We are also very grateful to all members for sponsoring the resolution.

The resolution is necessitated by the two important briefings that we received recently from the Director-General of the World Health Organization (WHO) on the Ebola outbreak in the eastern part of the Democratic Republic of the Congo. The Government of the Democratic Republic of the Congo must be commended for its leadership in responding to the Ebola outbreak, and particularly for providing free health care in affected health zones, as well as for its daily reporting on the status of the outbreak. We also appreciate the efforts of all humanitarian and health workers on the ground, including the World Health Organization and its partners in the Global Outbreak Alert and Response Network, as well as all other front-line actors involved in the response effort.

We recognize that these humanitarian actors are operating under enormous difficulties to save lives. The security situation in the region affected by the Ebola outbreak is further complicating the ongoing efforts. That is why the resolution we have adopted today underscores the need to address the security situation in the areas affected by the disease and condemns all attacks against civilians. It also condemns in the strongest terms the recent attacks and the killings of two Congolese health workers attached to a Congolese army unit helping to combat the Ebola outbreak in the Democratic Republic of the Congo. The resolution also urges all parties to the armed conflict to ensure full, safe, immediate and unhindered access for humanitarian personnel and health services to patients and others in need.

The United Nations Organization Stabilization Mission in the Democratic Republic of the Congo has been playing an important role in supporting the efforts of the Government of the Democratic Republic of the Congo, the World Health Organization and other actors to respond to the Ebola outbreak in an extremely challenging and dangerous environment. We commend the Mission for its efforts within its existing mandate.

In his briefing to the Council, WHO Director-General Mr. Tedros Adhanom explained to us the gravity of the Ebola situation and the possibility that the virus could spread to other parts of the country and the wider region. This is also reflected in the World Health Organization's latest assessment of the risk that the virus could spread to Uganda, Rwanda, South Sudan and Burundi. It is in this context that we should encourage countries of the region to continue their efforts to prepare for operational readiness, in full cooperation with the World Health Organization. A regional meeting has already taken place in Entebbe, on 3 October, to review the implementation of cross-border disease surveillance activities and the status

of emergency preparedness activities in districts that border the Democratic Republic of the Congo and the East African Community.

Even though the World Health Organization has stated that a public health emergency of international concern should not be declared at this time, it remains deeply concerned by the outbreak and has emphasized that response activities need to be intensified and that ongoing vigilance is critical. Therefore, we hope that the resolution we have adopted today will send a strong message and contribute to mobilizing international support and engagement to bring the Ebola outbreak under control. It is indeed vital that the international community redouble its efforts in providing flexible financial support to enable a more rapid and effective response.

Mr. Orrenius Skau (Sweden): We too welcome the unanimous adoption today of resolution 2439 (2018), on the Ebola outbreak in the eastern Democratic Republic of the Congo, and the ongoing efforts to respond to this crisis. We appreciate the close collaboration with our Ethiopian partners and we thank all Council members for their constructive engagement and the sponsorship of the resolution by all 15 members.

The resolution sends a clear, coherent and comprehensive message of support to all those involved in front-line response efforts on the ground in the Democratic Republic of the Congo and in neighbouring countries. I should like to highlight four key elements in that regard.

First, it points to the extremely challenging security situation in the eastern Democratic Republic of the Congo and strongly condemns all attacks by armed groups against civilians, including humanitarian and health personnel. Let me be clear — the women and men who are working on the front line to battle this disease, and who risk their own lives to save those of others, deserve our respect and our protection. They must never themselves become targets — not in the Democratic Republic of the Congo, not anywhere. Humanitarian principles must be upheld everywhere, at all times and with no exceptions.

Secondly, it commends the efforts undertaken by the Government of the Democratic Republic of the Congo, the United Nations Organization Stabilization Mission in the Democratic Republic of the Congo (MONUSCO), the World Health Organization (WHO) and other actors in response to the outbreak. The continued leadership of the WHO remains essential. In order to prevent the deterioration of the present outbreak, the resolution also reminds us of the importance of strengthening national health-care systems.

Thirdly, it stresses the crucial importance of continued international engagement and regional cooperation. To address the overall humanitarian crisis, we need full, safe, unhindered and sustained humanitarian access, as well as adequate humanitarian funding. At present, the humanitarian appeal for the Democratic Republic of the Congo remains severely underfunded. As the third-largest humanitarian donor to the Democratic Republic of the Congo, Sweden stands ready to consider additional humanitarian funding and calls on others to do the same.

Fourthly and crucially, the resolution highlights how men and women are affected differently by the Ebola outbreak. Women must be fully engaged in the development of gender-sensitive response efforts.

The Democratic Republic of the Congo is at a pivotal moment in its history, and the latest Ebola outbreak adds an additional challenge to an already challenging situation. The support expressed through resolution 2439 (2018) therefore comes at a pertinent time, and our common task is now to fully support the efforts of the WHO, MONUSCO, the Congolese Government and other actors on the ground to combat the further spread of Ebola and thereby contribute to promoting long-term peace and stability in the Democratic Republic of the Congo and in the region.

The meeting rose at 10.10 a.m.

United Nations S/PV.8386*

Security Council

Seventy-third year

Provisional

8386th meeting
Tuesday, 30 October 2018, 3 p.m.
New York

President:	Mr. Llorentty Solíz	(Bolivia (Plurinational State of))
Members:	China	Mr. Wu Haitao
	Côte d'Ivoire	Mr. Adom
	Equatorial Guinea	Mr. Ndong Mba
	Ethiopia	Mr. Woldegerima
	France	Mr. Delattre
	Kazakhstan	Mr. Tumysh
	Kuwait	Mr. Alotaibi
	Netherlands	Mr. Van Oosterom
	Peru	Mr. Meza-Cuadra
	Poland	Ms. Wronecka
	Russian Federation	Mr. Nebenzia
	Sweden	Mr. Orrenius Skau
	United Kingdom of Great Britain and Northern Ireland	Ms. Pierce
	United States of America	Mr. Cohen

Agenda

Letter dated 28 February 2014 from the Permanent Representative of Ukraine to the United Nations addressed to the President of the Security Council (S/2014/136)

Letter dated 13 April 2014 from the Permanent Representative of the Russian Federation to the United Nations addressed to the President of the Security Council (S/2014/264)

* Reissued for technical reasons 10 December 2018.

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18-34901 (E)

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The meeting was called to order at 3.05 p.m.

Adoption of the agenda

The agenda was adopted.

Letter dated 28 February 2014 from the Permanent Representative of Ukraine to the United Nations addressed to the President of the Security Council (S/2014/136)

Letter dated 13 April 2014 from the Permanent Representative of the Russian Federation to the United Nations addressed to the President of the Security Council (S/2014/264)

The President (*spoke in Spanish*): In accordance with rule 37 of the Council's provisional rules of procedure, I invite the representative of Ukraine to participate in this meeting.

In accordance with rule 39 of the Council's provisional rules of procedure, I invite the following briefers to participate in this meeting: Ms. Rosemary DiCarlo, Under-Secretary-General for Political Affairs, and Ms. Ursula Mueller, Assistant Secretary-General for Humanitarian Affairs and Deputy Emergency Relief Coordinator.

The presidency has also received a request from the Russian Federation to invite Ms. Elena Kravchenko to participate in this meeting, in accordance with rule 39 of the Council's provisional rules of procedure.

Do I hear any objection to extending an invitation to Ms. Elena Kravchenko?

The representative of Sweden has asked for the floor.

Mr. Skoog (Sweden): Sweden, together with France, the Kingdom of the Netherlands, Poland, the United Kingdom and the United States, has asked that the situation in Ukraine be addressed in the Council today, with updates on the broader situation from the Department of Political Affairs and the Office for the Coordination of Humanitarian Affairs, in view of the upcoming so-called elections in what are misleadingly referred to as the Donetsk and Luhansk People's Republics, in eastern Ukraine.

We welcome the fact that Council members agreed to this briefing, which is now convened, as stated by the President, with reference both to the letter dated 28 February 2014 from the Permanent Representative of Ukraine to the United Nations addressed to the President of the Security Council (S/2014/136) and the letter dated 13 April 2014 from the Permanent Representative of the Russian Federation to the United Nations addressed to the President of the Security Council (S/2014/264), without the formal creation of a new agenda item. The two agenda items remain separate and distinct, and future Security Council meetings can be held on each of them separately.

The so-called elections, to be held on 11 November, are being organized in violation of the Minsk agreements. The issue at hand is not about technicalities relating to the proposed elections but about holding the elections in the first place. The organization of those elections should be the result of the agreement of all parties, which is still being negotiated. The elections are an infringement on the sovereignty and territorial integrity of Ukraine, and in breach of the letter and the spirit of the Minsk agreements. The suggested briefer does not represent the legal authorities or civil society of Ukraine. To allow the participation of a representative of an illegal separatist entity in a Council meeting would set a dangerous precedent. We therefore do not consider the briefer proposed by the Russian Federation competent to the purpose at hand, as stipulated in rule 39 of the Security Council's provisional rules of procedure. If the matter is put to a procedural vote, France, the Kingdom of the Netherlands, Poland, Sweden, the United Kingdom and the United States will therefore oppose an invitation by the Council to the additional briefer proposed by the Russian Federation.

The President (*spoke in Spanish*): The representative of the Russian Federation has asked for the floor.

Mr. Nebenzia (Russian Federation) (*spoke in Russian*): It is no secret to Council members that the idea of discussing the situation regarding the forthcoming elections in eastern Ukraine on 11 November came from six delegations — Sweden, the Netherlands, Poland, the United Kingdom, the United States and France. However, it occurred to none of them to invite the the people that the meeting is about, the representatives of the area, to participate in it. Furthermore, its initiators proposed holding it as a closed meeting so that they could then report to the media only on the elements that they wanted to.

We have long been familiar with these ways of working in the Security Council, and we condemn

such blatant examples of double standards. For reasons of transparency, therefore, we insisted on a public meeting and requested the participation of the heads of the central electoral commissions of the Donetsk and Luhansk People's Republics. We hope that the members of the Council are just as interested as we are in receiving complete information on the true state of affairs in Ukraine. We call on them not to submit to these delegations' pressure or to obstruct a briefing to the Council by the representative of the Donetsk and Luhansk People's Republics and parties to the Minsk agreements.

The President (*spoke in Spanish*): In the light of the comments made by Council members, I propose to put to the vote the proposal to extend an invitation under rule 39 of the Council's provisional rules of procedure to Ms. Elena Kravchenko, in order to brief the Security Council under the agenda items entitled "Letter dated 28 February 2014 from the Permanent Representative of Ukraine to the United Nations addressed to the President of the Security Council (S/2014/136)" and "Letter dated 13 April 2014 from the Permanent Representative of the Russian Federation to the United Nations addressed to the President of the Security Council (S/2014/264)".

I shall put the proposal to the vote now.

A vote was taken by show of hands.

In favour:
Russian Federation

Against:
France, Netherlands, Peru, Poland, Sweden, United Kingdom of Great Britain and Northern Ireland, United States of America

Abstaining:
Bolivia (Plurinational State of), China, Côte d'Ivoire, Equatorial Guinea, Ethiopia, Kazakhstan, Kuwait

The President (*spoke in Spanish*): The proposal received one vote in favour, seven against and seven abstentions. The proposal to invite Ms. Elena Kravchenko has not been adopted, it having failed to obtain the required number of votes.

The Security Council will now begin its consideration of the item on its agenda.

I give the floor to Ms. DiCarlo.

Ms. DiCarlo: The previous Security Council meeting on the situation in Ukraine took place five months ago on 29 May (see S/PV.8270). As I stated then, the United Nations has been consistent in its strong support for the lead role of the Normandy Four, the Trilateral Contact Group, the Organization for Security and Cooperation in Europe (OSCE) and other key actors to find a peaceful settlement to the conflict in Donbas. The Secretary-General has also repeatedly called for revitalizing efforts in those negotiation formats and bilateral channels. We therefore welcome presidential statement S/PRST/2018/12, of 6 June, which encouraged all the parties to recommit to the peace process, recalled the centrality of the Minsk agreements and urged scaled-up support for humanitarian efforts. We also note the 11 June meeting in the Normandy format, the first at the ministerial level in over a year. Despite those efforts, however, there has been little progress in talks to end the fighting. The conflict in eastern Ukraine, now in its fifth year, remains an active threat to international peace and security.

On the ground, continued and unpredictable escalations of hostilities aggravate the climate of insecurity and breed uncertainty about the parties' intentions. As negotiations on different tracks continue to search for points of convergence, effective implementation of any agreements is still lacking. It is noteworthy, nonetheless, that the incidence of violence this summer was the lowest of any equivalent period since the conflict broke out in 2014. The so-called harvest ceasefire and the back-to-school ceasefire — two recommitments to the ceasefire negotiated by the Trilateral Contact Group — were instrumental in reducing shelling and fire from small arms and light weapons, in turn resulting in the relatively low, although still tragic, figure of four civilian deaths from 1 June to 31 August. Clearly, with sufficient political will and genuine commitment to agreements, it is possible to stop the violence on the ground and drastically reduce the impact of the conflict on the civilian population. Regrettably, however, over the past six weeks, ceasefire violations have once again increased and casualty levels have risen. In September alone, the Office of the United Nations High Commissioner for Human Rights recorded 20 conflict-related civilian casualties. More than half of the civilian casualties in September were the result of mines or explosive remnants of war.

The United Nations continues to call on the parties to ensure the full and immediate implementation of the ceasefire agreements and exercise the utmost

restraint in order to protect the civilian population in the conflict-affected areas. The priority of the parties should be, without delay, to withdraw heavy weapons from populated areas, disengage forces and protect civilian infrastructure. The United Nations is also following reports of increased tensions in the Sea of Azov, which negatively affect the overall atmosphere in the region. We underline the need to avoid any risk of escalation, provocation or miscalculation.

The Minsk agreements, endorsed by the Security Council in its resolution 2202 (2015), form the only agreed framework for a negotiated peace in eastern Ukraine. Echoing the Security Council's expectations, expressed through presidential statement S/PRST/2018/12, the United Nations calls for swift progress in the implementation of the Minsk agreements. We welcomed the most recent extension by the Ukrainian Parliament, on 4 October, of the law on special order regarding the local governance of certain areas of the Donetsk and Luhansk regions, consistent with Ukraine's commitments under the Minsk agreements.

The United Nations urges all parties to avoid any unilateral steps that could deepen the divide or depart from the spirit and letter of the Minsk agreements. On 7 September, the de facto entities in Donetsk and Luhansk announced the holding of so-called leadership elections scheduled for 11 November. Despite Ukraine's objections, media report that preparations are still going ahead. As we understand, two separate ballots in both Donetsk and Luhansk are reportedly being planned — one for the Head of Republic and one for the People's Councils. Those will reportedly be voted in for terms of five years. I wish to recall that election-related matters are addressed in the Minsk agreements as part of a comprehensive package, and they are under consideration in the existing negotiating mechanisms. I therefore caution that any such measures, taken outside Ukraine's constitutional and legal framework, would be incompatible with the Minsk agreements.

On this occasion, I wish to acknowledge the tireless work of the OSCE Special Monitoring Mission on the ground in the face of extremely challenging conditions. I reiterate our call on all to ensure the safety and the freedom of movement of the monitors. As the Council will hear from Assistant Secretary-General Mueller, the human cost of the conflict for the people of Donbas continues to increase. The United Nations spares no effort to fulfil its responsibilities in the delivery of humanitarian assistance and the monitoring of human rights. It is essential, however, that that role not be politicized or instrumentalized by any side.

It is time for renewed and constructive action by all concerned to overcome the apparent impasse in diplomatic negotiations. The United Nations underlines the need to fully respect the sovereignty and territorial integrity of Ukraine, within its internationally recognized borders, in accordance with the relevant General Assembly and Security Council resolutions. Once again, we urge all the parties to display the necessary political will and to recommit to the full implementation of the Minsk agreements to ensure the earliest possible end to the conflict and help bring about peace and stability to all of Ukraine.

The President (*spoke in Spanish*): I thank Ms. DiCarlo for her briefing.

I now give the floor to Ms. Mueller.

Ms. Mueller: I thank you, Mr. President, for this opportunity to brief the Security Council on the challenging humanitarian situation in eastern Ukraine. Five months ago, I briefed the Council (see S/PV.8270), together with Under-Secretary-General DiCarlo. Today I regrettably advise that millions of men, women and children continue to face dire humanitarian consequences in Europe's forgotten armed conflict, and that the effects are worsening as the situation becomes more protracted.

More than 3,000 civilians have been killed and up to 9,000 have been injured since the conflict began in 2014. This crisis affects the highest proportion of elderly people — more than 30 per cent — in the world. A 400-plus kilometre contact line divides the area of hostilities. The households close to that line live in fear of shelling, sniper fire and pervasive mine contamination. People's access to basic services is constantly disrupted. There is extensive damage to homes, hospitals, schools and other critical civilian infrastructure. In 2018, more than 70 serious incidents have disrupted the vital supply of water to millions of people. Risks from communicable diseases are rising due to the water shortage, extensive damage to health facilities, lack of access to health care and extremely low immunization rates. It is imperative that parties to the conflict respect civilians and civilian objects, consistent with their obligations under international humanitarian law. Civilians are not a target.

The contact line has dramatically altered the lives of millions of civilians. People are separated from their families, services and livelihoods. In October 2017, I met people making the arduous journey at the Mayorsk checkpoint. Since then we have seen more than 1.1 million civilian crossings per month through the five official contact points. Half of the people who cross are over 60 years old. Most are women. They are regularly exposed to harm as they wait in long lines with limited facilities amid hostilities. So far 50 civilians have died or been injured while crossing this year. I welcome the efforts of the Government to improve crossing conditions, but I appeal for more to be done on both sides. Essential services at crossing points require urgent improvement, especially water and sanitation facilities. Heating points are an acute need as winter approaches. Addressing the specific needs of the elderly, especially the long-standing barriers for them to be able to easily access their pensions, remains critical.

So far this year more than 100 civilians have been killed or injured due to extensive mine and unexploded ordnance contamination. On 30 September, an explosive device killed three children and seriously injured another close to the contact line. Earlier this month, two workers were injured by a land mine when trying to restore vital water supplies to 45,000 people. For three years running, Ukraine has had the highest anti-vehicle mine casualties in the world. I implore all parties to immediately cease using mines, including in populated areas and close to civilian structures. They must respect international humanitarian law. Ukraine also requires an appropriate national mine action framework and coordination mechanisms.

Over 3.5 million people will require humanitarian assistance and protection in 2019. Yet funding for humanitarian action has steadily decreased over the years. The 2018 humanitarian response plan, which requires $187 million, is only 32 per cent funded. That is simply not enough. Without adequate funds, food, health care, water and sanitation and other life-saving assistance cannot be provided. Humanitarians can and do deliver. So far in 2018, the United Nations, the International Committee of the Red Cross and non-governmental organizations have assisted more than 1 million people on both sides of the contact line. While humanitarian access is often unpredictable, particularly in the non-Government-controlled areas, today we have slightly more access than before. Since July 2018, humanitarians have rapidly scaled up their efforts to deliver essential humanitarian assistance and protection services to the people in the non-Government-controlled areas. An allocation of $6 million from the Central Emergency Response Fund was an important catalyst. I appeal to donors to increase their support for consolidating these humanitarian gains, especially with Ukraine's harsh winter fast approaching.

I would like to conclude by commending the Government of Ukraine's efforts to implement a national strategy and action plan in support of its 1.5 million internally displaced persons. I also welcome the recent adoption of the law on the legal status of missing persons. I look forward to its implementation, which should facilitate the search and identification of missing persons and provide support to family members. I reaffirm the commitment of the United Nations and its partners to supporting Ukraine's displaced and conflict-affected people across the spectrum of emergency and early recovery assistance.

I thank you once again, Mr. President, for this opportunity to brief the Security Council on the critical humanitarian situation in eastern Ukraine.

The President (*spoke in Spanish*): I thank Ms. Mueller for her briefing.

I shall now give the floor to those members of the Council who wish to make statements.

Mr. Orrenius Skau (Sweden): I thank Ms. DiCarlo, Under-Secretary-General for Political Affairs, as well as Ms. Mueller, Assistant Secretary-General for Humanitarian Affairs, for their briefings to the Security Council today.

It has been almost five years since Russia's illegal annexation of Crimea and the beginning of its aggression in eastern Ukraine. This highly volatile situation clearly poses a threat to international peace and security, and Sweden has throughout its tenure on the Security Council worked to ensure that the Council remains seized of the matter.

The continued high levels of violence in Donbas and our deep concern about the so-called elections planned for 11 November prompted us and several other members to call for this meeting. Let me be clear about why this issue belongs in the Council. What we see is an attempt to redraw borders in Europe, backed by military power. That is a violation of the Charter of the United Nations. It also represents a violation of the Helsinki Final Act and the Charter of Paris for a

New Europe. This challenge to the international legal order is not a regional problem, but one with global implications. We regret that there are no signs of Russia, a member of the Council, reversing its actions to comply with international law. Again, let me be clear: Russia's aggression is the origin of the conflict, and Russia has the influence to end it whenever it so chooses.

We remain deeply concerned about the continuing violence and the deteriorating humanitarian situation in eastern Ukraine. The conflict has already caused more than 10,000 deaths and affected more than 3.8 million people directly, 70 per cent of them women, elderly persons and children. Almost two thirds of the close to 2 million internally displaced persons are women. We note slight improvements in access for humanitarian organizations, but continue to emphasize the need for full and unhindered access, both in Government-controlled and non-Government-controlled areas. Sweden will continue providing principled humanitarian assistance to meet the most urgent needs of the people affected by the conflict. As we heard from the Office for the Coordination of Humanitarian Affairs (OCHA) today, the humanitarian appeal remains underfunded. We join OCHA in calling on donors to increase their contributions.

While the international community continues to support the Minsk agreements, not even the first provision in the agreements — a complete ceasefire — has been implemented. In line with consistent demands by the European Union, we call for the full implementation of the agreements, starting with an immediate and lasting ceasefire. We support the efforts made within the Normandy format to that end and commend the Government of Ukraine for recently extending the special status law for the Donetsk and Luhansk regions.

The so-called elections in Donbas planned for November are, in turn, a blatant violation of the Minsk agreements. We call on Russia to assume its responsibility and use its influence to stop them from being held. The Minsk agreements clearly state that local elections should take place only after proper security conditions are put in place. That means a complete ceasefire and the withdrawal of heavy weapons, monitored by the Organization for Security and Cooperation in Europe (OSCE). Russia must ensure that the armed formations controlling certain areas of Donetsk and Luhansk observe the ceasefire, and is must cease all military and financial support to those formations. The Minsk agreements further stipulate that elections should be held under Ukrainian legislation and be in accordance with OSCE standards and monitored by the OSCE Office for Democratic Institutions and Human Rights. We strongly support the OSCE Special Monitoring Mission to Ukraine, which must be given full, safe and unhindered access throughout the country, including along the Russia-Ukraine State border and to the Crimean peninsula.

Finally, the ongoing militarization of Crimea and the tensions in the Sea of Azov raise additional concerns and create a very dangerous backdrop for the planned so-called elections. The redeployment of military vessels and the excessive inspections of commercial traffic in an area already affected by conflict have not gone unnoticed. By ceasing those activities, and taking steps to ensure that the Minsk agreements are finally implemented, Russia could send a signal that it is serious about reducing tensions.

Russia's aggression against Ukraine, in blatant disregard of international law and the European security order, has caused tremendous suffering and must come to an end. Until such time, the Council must remain actively seized of the matter.

Mr. Cohen (United States of America): I thank Under-Secretary-General DiCarlo and Assistant Secretary-General Mueller for briefing the Security Council today.

The United States joins others in condemning the announcement by the so-called Donetsk and Luhansk People's Republics that they intend to hold what they call elections on 11 November. Such actions are clearly illegitimate and have no basis in Ukrainian law. The sham elections, staged by Russia, run directly counter to efforts to implement the Minsk peace agreements. They also obstruct and undermine efforts to end the ongoing conflict in eastern Ukraine, which has killed more than 10,000 people and causes more casualties daily. The Minsk agreements state that the Organization for Security and Cooperation in Europe (OSCE) must supervise elections, which are to be held in accordance with Ukrainian law and OSCE standards. The 11 November balloting will satisfy none of those conditions.

The Minsk agreements also call for the disarmament of illegal groups and the withdrawal of foreign armed formations from eastern Ukraine. However, Russia is using those so-called elections to achieve the opposite.

It seeks to bolster the positions of the so-called Donetsk People's Republic and the Luhansk People's Republic. Both entities are inseparable from the illegal armed groups controlled by Moscow.

We also express our concern about the humanitarian crisis in eastern Ukraine, with 3.4 million Ukrainians requiring assistance and more than 1.5 million internally displaced. The humanitarian crisis will continue until a ceasefire is implemented and basic commitments under the Minsk agreements are met. We encourage all parties to allow affected Ukrainians to have unfettered access to humanitarian aid and Government services and to guard against further civilian losses and damage to critical infrastructure.

Beyond eastern Ukraine, Russia's occupation of the Crimean peninsula and its aggressive actions in the Sea of Azov, where Russia is harassing and obstructing international shipping bound for Ukraine's ports, further demonstrate Moscow's blatant violation of Ukraine's sovereignty and territorial integrity and its readiness to undermine regional stability. We greatly appreciate the efforts of France and Germany in the Normandy format to push for the implementation of the Minsk agreements. Unfortunately, Russia continues to impede the peace process and is, we believe, deliberately stalling in those discussions and in talks between United States Special Representative Kurt Volker and Russian Presidential Adviser Vladislav Surkov. We call on Russia to cease its obstructionist activities and artificial delays.

The United States reiterates its strong condemnation of Russia's destabilizing actions in Ukraine. We will continue to impose sanctions against Russia for its action in Donbas and Crimea until it fully implements the Minsk agreements and returns the Crimean peninsula to Ukraine.

Mr. Delattre (France) (*spoke in French*): I thank Under-Secretary-General for Political Affairs Rosemary DiCarlo and Assistant Secretary-General for Humanitarian Affairs Ursula Mueller, for their enlightening briefings about the ongoing tragic situation in Ukraine, which, now more than ever, requires the attention of the international community.

After more than four years of conflict in the Donbas region, fighting continues unabated. Not one day passes without a military and civilian victim or without shots, including from heavy weaponry, being fired into areas where civilians live. For more than four years, including recently at a ministerial meeting held on 11 June, France and Germany, together with the Organization for Security and Cooperation in Europe (OSCE), have spared no effort, within the framework of the Normandy format, to bring the parties together, facilitate the implementation of the Minsk agreements and help end the conflict. My German colleague, whom I am pleased to welcome to the Chamber, and I will hold a press briefing at the end of today's meeting, as the representatives of two mediating countries of the Normandy format.

Beyond Donbas, whenever possible, France condemns the illegal annexation of the Autonomous Republic of Crimea and the city of Sevastopol and calls on all States Members of the United Nations to reiterate their support for the sovereignty and territorial integrity of Ukraine within its internationally recognized borders. In that tense environment, three recent developments in particular deserve our attention.

First, allow me to mention once again to the so-called elections planned for 11 November in the two separatist areas of Donetsk and Luhansk. Whereas we endeavour under the Normandy format to move towards the holding of local elections according to Ukrainian law and the Minsk agreements, the current initiative is a flagrant attempt to undermine the sovereignty of the Ukrainian State. It is contrary to the commitments made, in particular by Russia, when the agreements were signed. We therefore encourage all Member States to firmly and publicly condemn the organization of those illegal elections. We hope that Russia can use its influence with the separatist entities to suspend the organization of the so-called elections. Instead, it should strive to foster the right conditions for the holding of the local elections stipulated in the Minsk agreements, which is one of the keys to restoring peace. It should be noted that, for its part, Ukraine has signalled its commitment to the political component of the Minsk agreements by renewing the law on the special status of Donbas, which it adopted in September 2014.

Secondly, we deplore the lack of progress on security issues in Donbas. The ceasefire, which has been renewed several times, has not materialized in a sustainable manner on the ground. Moreover, we have recently seen an increase in the level of violence, with an average of more than 1,000 incidents per day, according to the observations of the OSCE Special Monitoring Mission to Ukraine. Similarly, the withdrawal of heavy weaponry has still not been implemented. For four years, the civilian population — including children and

the elderly, as Ms. Mueller reminded us — have been targeted practically every day by such weapons.

We are still awaiting progress — especially from Ukraine — on the three pilot disengagement areas. All commitments made must be respected; this is not a matter of pick-and-choose obligations. France cannot emphasize enough the urgent need for progress on each of the measures necessary to improve the security situation, which is essential for reaching a settlement of the conflict.

Thirdly, and finally, France expresses its deep concern about the humanitarian situation described by the Assistant Secretary-General for Humanitarian Affairs. There are nearly 1.5 million displaced persons in Ukraine, while more than 700,000, on both sides of the line of contact, who are receiving humanitarian assistance. As stated in the presidential statement of 6 June (S/PRST/2018/12), the situation calls for more robust action by United Nations humanitarian agencies on the ground. To achieve that goal, France calls on all the parties to facilitate humanitarian access for United Nations agencies and non-governmental organizations to provide aid and assistance, not only to civilian populations but also to prisoners of war. With the harsh Donbas winter approaching, it is now more necessary than ever to relieve the suffering of the most vulnerable people.

The situation in Ukraine is not necessarily inevitable. It is up to Russia to take the decision to put an end to the illegal annexation of Crimea and use its influence over the separatist entities in Donbas to guarantee the immediate implementation of the Minsk agreements. We also encourage Ukraine to show greater political will and play its part in implementing the agreements, which should lead to the return of lasting peace.

Ms. Wronecka (Poland): I want to thank Under-Secretary-General Rosemary DiCarlo and Assistant Secretary-General Ursula Mueller for their comprehensive briefings.

Poland strongly supports the independence, sovereignty and territorial integrity of Ukraine within its internationally recognized borders. We underline the need for the full implementation of the Minsk agreements by all sides. It is the only way to achieve a lasting solution to the conflict in and around Ukraine. This conflict is not an ethnic, internal conflict, as Russia tries to portray it. It is a State-to-State conflict initiated by Russia and systematically fuelled by Russia with the purpose of destabilizing Ukraine.

We asked for this meeting today to condemn the announcement of the so-called elections to be held in the so-called Luhansk People's Republic and Donetsk People's Republic on 11 November. That announcement is contrary to the letter and spirit of the Minsk agreements; therefore, we call on the Russian Federation to make full use of its influence over the separatists to avoid any steps that would obstruct the advancement of the implementation of the Minsk agreements. It is also a setback to the efforts made in the Normandy format and by the Trilateral Contact Group. It is yet another demonstration of disregard for international norms and of efforts to undermine the achievement of peace in eastern Ukraine.

Russian aggression against Ukraine remains a source of security threats in the whole region. Reports of the Special Monitoring Mission of the Organization for Security and Cooperation in Europe (OSCE) confirm that Russia is consistently strengthening its military presence in Donbas. Convoys of trucks are crossing the Russian-Ukrainian border day and night — as well as doing so where there are no border crossing facilities and always without any OSCE or Ukrainian inspection. The Special Monitoring Mission has observed such convoys on seven occasions since August alone. With little to no access in some areas, Special Monitoring Mission capabilities are crippled. On a regular basis, so-called separatists are identified as responsible for the cases of intimidation of observers and firing or jamming observation drones belonging to the Special Monitoring Mission.

It is worrisome that similar activities concerning the development of military capabilities are taking place in Crimea and the Sea of Azov. For several months, Russia has delayed hundreds of commercial vessels attempting to reach Ukrainian ports on the Sea of Azov via the Kerch Strait for extended periods and at great economic cost to Ukraine. Further militarization and increased tensions bring about even more instability to an already troubled region.

The humanitarian situation in eastern Ukraine has further deteriorated since June. Fifty-one per cent of the population living in territories up to five kilometres from the contact line did not receive any support in the past 12 months, while over 60 per cent of the population has limited access to health care. The information

presented by Ms. Mueller showed that we cannot turn a blind eye to the humanitarian situation. A persisting lack of respect for the ceasefire by the illegal, Russia-supported military formations and the indiscriminate shelling of residential areas put at risk the lives of the conflict-affected population. International humanitarian law is not respected. Since the beginning of the conflict, the Office of the United Nations High Commissioner for Human Rights has recorded more than 10,000 people killed and over 24,000 injured. At least 2,500 of those killed were civilians.

With winter approaching, hundreds of thousands of people in eastern Ukraine will require additional assistance. Let me emphasize that Poland strives to deliver assistance to those in need in eastern Ukraine. In addition to supporting Ukraine at the political level, since 2014 Poland has been providing the necessary humanitarian aid to internally displaced persons from areas affected by armed conflict in eastern Ukraine, as well as the most vulnerable local population. Poland has always provided humanitarian aid via bilateral and multilateral channels. Poland contributed financially this year to the Office for the Coordination of Humanitarian Affairs (OCHA) in Kyiv; we appeal to Security Council members to kindly consider backing the Office as well. Furthermore, I want to thank Ms. Mueller and OCHA for the hard work, dedication and determination shown in dealing with this crisis.

On a positive note, we must underline the decision of the Supreme Council of Ukraine to extend the special status of Donetsk and Luhansk until the end of 2019, which confirms Kyiv's determination to implement the Minsk agreements, especially in the difficult pre-election period.

Mr. Van Oosterom (Netherlands): Let me first thank Under-Secretary-General DiCarlo and Assistant Secretary-General Mueller for their briefings on the alarming situation in parts of eastern Ukraine.

In line with General Assembly resolution 68/262, adopted by an overwhelming majority on 27 March 2014, let me reiterate our full support for the independence, sovereignty and territorial integrity of Ukraine within its internationally recognized borders. Let me be clear: we will not accept the redrawing of borders in Europe with the use of military force by Russia. Its actions are in direction contravention of international law and in violation of the Charter of the United Nations.

I will focus on three issues — first, elections; secondly, the humanitarian situation; and, thirdly, the security situation in the broader Black Sea region.

My first point concerns the announcement of local elections in the non-Government-controlled areas in eastern Ukraine. We condemn those illegitimate so-called elections. If held, those fake elections would contravene commitments made under the Minsk agreements and would violate Ukrainian law. In line with the Minsk agreements, local elections in certain areas of Donetsk and Luhansk can take place only in accordance with Ukrainian legislation. Any such illegal elections would be incompatible with the sovereignty and territorial integrity of Ukraine. Further talks on a peaceful settlement should take place on the basis of the Minsk agreements. Let me recall that resolution 2202 (2015) calls on parties to fully implement the Minsk agreements. In that regard, the so-called elections are not only illegitimate, but also run counter to the letter, spirit and commitments of the Minsk agreements and are a clear setback to the peace process. The Minsk agreements remain the only viable and accepted path to peace.

The Kingdom of the Netherlands calls on the parties involved to refrain from any actions, such as the holding of so-called elections, that would obstruct the implementation of those agreements. We call on Russia to bring its considerable influence to bear to stop the so-called elections from taking place, in the interests of the peace process and of the civilians who suffer the daily consequences of the conflict. Russia must play its part by ending its financial and military support to the separatists and by withdrawing its armed forces and military equipment from Ukrainian territory.

My second point pertains to the humanitarian situation in the non-Government-controlled areas. The Special Monitoring Mission to Ukraine of the Organization for Security and Cooperation in Europe (OSCE) has made tireless efforts to ensure that all parties respect the Minsk agreements, including the ceasefire and withdrawal of heavy weapons. We commend the courageous work of the OSCE Special Monitoring Mission in often dangerous circumstances.

Meanwhile, the population in the affected areas continues to suffer. In its latest report, the Office of the United Nations High Commissioner for Human Rights recorded a 30 per cent increase in civilian casualties as compared to the previous reporting period. Both

landmines and unexploded ordnance remain an everyday threat to civilians in the conflict area. Civilian infrastructure has been heavily damaged. Power and water supplies are insecure. In the 6 June presidential statement (S/PRST/2018/12), the Council called for United Nations agencies to address the humanitarian situation in eastern Ukraine. The Kingdom of the Netherlands calls on all parties to ensure that the United Nations and international humanitarian organizations can be fully operational in the non-Government-controlled areas. As Assistant Secretary-General Mueller said today, civilians are not a target.

My third point centres on the security situation in the broader Black Sea region in the wake of the Russian Federation's illegal annexation and militarization of the Crimean peninsula. The Russian military presence in the Sea of Azov increased recently. The militarization of the Sea of Azov can only destabilize the delicate security situation in the wider Black Sea region. Additionally, the Russian Federation has started inspecting commercial vessels in the Sea of Azov heading to and from Ukrainian ports. The resulting lengthy delays only add to the economic damage inflicted on south-eastern Ukraine by the illegally constructed Kerch Strait Bridge. The Kingdom of the Netherlands welcomes Ukraine's decision to seek arbitration under the United Nations Convention on the Law of the Sea. We hope for a peaceful settlement of the dispute. In the meantime, we call on all parties to take all the necessary measures to de-escalate military tensions in the Sea of Azov.

Ms. Pierce (United Kingdom): I thank the Under-Secretary-General and the Assistant Secretary-General for briefing the Security Council today.

The United Kingdom is committed to Ukraine's sovereignty and territorial integrity. We do not and will not recognize Russia's illegal annexation of Crimea. The illegal seizure of Crimea by Russia in March 2014 directly contravenes the Charter of the United Nations. The action threatens international peace and security and has global consequences.

If I may, I will address the issue of the elections. Like my European and American colleagues, we see those so-called elections as illegitimate. They are the latest example in the Russian campaign to destabilize Ukraine. They are a clear breach of the Minsk agreements. And they are illegal under Ukrainian law. In plain speaking, they are a charade — and a grisly one at that. That is why the United Kingdom, with other members of the Council, called for this meeting today. The international community must stand together to condemn those illegal acts. Russia could demonstrate its commitment to the rules-based international system by using its considerable influence on the separatists to ensure that the so-called elections do not take place. To be clear: if the elections were free and fair and with proper security conditions, as stated in the Minsk agreements, that would be a different matter. But the conditions for free and fair elections will never exist as long as Russia continues to deny international access to eastern Ukraine. Support for illegitimate so-called elections is the latest attempt by Russia to destabilize Ukraine.

As other representatives have done today, I would now like to raise other recent actions that are deeply concerning.

First, as recorded by the Organization for Security and Cooperation in Europe Special Monitoring Mission to Ukraine, the increasing militarization of Crimea is nothing short of alarming. We urge Russia to desist from destabilizing transfers of weapon systems and troops and to demonstrate its commitment to regional stability.

Secondly, opening the Kerch Strait Bridge is yet another flagrant violation of Ukraine's sovereignty. Russia's systematic harassment and detention of both Ukrainian and third-country-flagged vessels in the Sea of Azov since April is yet another attempt to destabilize Ukraine and its economy.

Thirdly, we are concerned by Russia's ongoing cyberattacks on Ukraine, which attempt to interfere with Ukraine's financial, energy and Government sectors.

I will now turn to humanitarian issues. As the Assistant Secretary-General indicated in her briefing, the conflict continues to have a devastating humanitarian impact on those who live on both sides of the contact line. What we heard about mines, injuries and millions being at dire humanitarian risk ought to shock us. The lack of access to humanitarian organizations in non-Government-controlled areas is greatly contributing to the escalation of the crisis. We strongly urge the Russia-backed separatists to grant safe and unhindered access so that essential humanitarian assistance can be delivered to the 1.8 million people in need within non-Government-controlled areas. We also urge donors to respond to the United Nations annual

humanitarian response plan for Ukraine, which remains woefully underfunded.

In conclusion, we urge all sides, particularly the Russian-backed separatists, to commit to the full implementation of the Minsk agreements, beginning with a comprehensive ceasefire and the withdrawal of heavy weaponry. That is the best way to achieve stability in Ukraine and end the suffering of the Ukrainian people. To be clear: it was Russian aggression in 2014 that gave rise to this conflict — in complete disregard for international law. Russia has a responsibility, particularly as a permanent member of the Council, to desist from destabilizing behaviour and to use its considerable influence on the separatists to ensure that the Minsk agreements are implemented and the conflict brought to an end.

Mr. Ndong Mba (Equatorial Guinea) (*spoke in Spanish*): Let me begin by thanking Ms. Rosemary A. DiCarlo, Under-Secretary-General for Political Affairs, and Ms. Ursulla Mueller, Assistant Secretary-General for Humanitarian Affairs, for their comprehensive and detailed briefings on the political situation in Ukraine, as well as the humanitarian situation.

The Minsk agreements remain the basis of the international community's commitment to the peaceful settlement of the conflict in Ukraine. We therefore call on the parties to the conflict to respect the full implementation of the Minsk agreements, signed in February 2015 and endorsed in resolution 2202 (2015), as the only way to achieve stability in the region.

Reducing tensions requires the cooperation and effort of the parties involved in the conflict. That is why the continued non-compliance with the ceasefire on both sides is of great concern. In that regard, we condemn and regret the assassination of Mr. Alexander Zakharchenko on 31 August and call on the parties to respect the maintenance of the ceasefire and to cooperate and assist in reducing tension.

We encourage the parties to refrain from actions that could aggravate and destabilize the situation, thereby undermining the efforts of the international community, including those of the Security Council, to seek a peaceful solution to the crisis. We remind the parties that the solution to the crisis in the region can be achieved only by peaceful means through direct, frank and inclusive negotiations, and that they should aim for a final and just solution that will help to strengthen harmonious relations among the different ethnic groups of Ukraine and between Ukraine and the countries of the region.

Of concern is the impact on the civilian population of the violence and instability of the protracted conflict, which is causing economic and human losses in the region, aggravating the suffering of the population and forcing the displacement of people from their homes. In that regard, we appreciate the work and effort of the humanitarian actors and the Office of the Coordinator of Humanitarian Affairs in providing humanitarian aid.

The solution to the crisis in Ukraine cannot be military but must be political. Therefore, the international community must continue to support all diplomatic efforts for a political solution to the crisis. In conclusion, we stress the need for the parties to continue to make use of established means to help resolve the conflict, such as the Normandy quartet, the Trilateral Contact Group and other key actors.

Mr. Meza-Cuadra (Peru) (*spoke in Spanish*): We should like to express our thanks for the convening of this meeting and for the briefings provided by Ms. Rosemary DiCarlo, Under-Secretary-General for Political Affairs, and Ms. Ursula Mueller, Assistant Secretary-General for Humanitarian Affairs.

We wish to reiterate Peru's commitment to the independence, territorial integrity and sovereignty of Ukraine, in line with the Charter of the United Nations. At the same time, we express our concern about the complex and unstable situation in the east of the country, where the civilian population continues to suffer the consequences of the conflict. In particular, Peru shares the concern expressed by several delegations of the Council regarding the claimed intention of the self-proclaimed republics to hold elections in the territories of Luhansk and Donetsk on 11 November, which could be detrimental to the process of dialogue between the parties.

We believe that the scheduled elections contravene the provisions of the Minsk agreements and the package of measures for their implementation endorsed by the Council, which constitute the legal basis for achieving the political solution required to put an end to the conflict in eastern Ukraine. We underline that a free and fair electoral process is needed to ensure the appointment of legitimate and representative authorities. In that regard, we note that much of the population of those territories — 1.5 million internally displaced persons — have abandoned their homes, and

that those who remain — approximately 4.4 million people out of a total population of 6.5 million — are in dire need of humanitarian assistance.

We conclude by stressing the importance of the work of the Organization for Security and Cooperation in Europe Special Monitoring Mission, and of efforts to facilitate dialogue between the parties, in particular the Normandy format and the Trilateral Contact Group.

Mr. Wu Haitao (China) (*spoke in Chinese*): China thanks Under-Secretary-General DiCarlo and Assistant Secretary-General Mueller for their briefings.

China respects the sovereignty and territorial integrity of all States, including Ukraine, and opposes interference in Ukraine's internal affairs by any external forces. China has closely followed developments in the situation in eastern Ukraine. China hopes that all parties concerned will take concrete measures to prevent the escalation of conflict and confrontation and work together to ease tensions.

The situation in Ukraine has complex historical and contemporary factors and its handling requires comprehensive and balanced considerations.

First, the general direction of a political settlement must be upheld. On the one hand, the legitimate rights, interest and aspirations of all regions and ethnic groups in Ukraine should be fully accommodated; on the other, attention must also be paid to addressing the reasonable concerns of all relevant parties to achieve a balance among all interests.

Secondly, we continue to call for the comprehensive implementation of resolution 2202 (2015) and the Minsk II agreements, as well as the ceasefire and the cessation of hostilities in eastern Ukraine so that a comprehensive, lasting and balanced solution to the Ukrainian issue can be found through dialogue and consultation.

Thirdly, the international community must continue to promote diplomatic efforts to find a political solution to the issue. The members of the Security Council should remain united. Discussions in the Council should contribute to achieving a genuine de-escalation in the relevant regions of Ukraine and play a constructive role in achieving a political settlement. China has always maintained an objective and impartial position on the Ukrainian crisis and remains committed to playing a positive role in the political statement of the crisis.

Mr. Alotaibi (Kuwait) (*spoke in Arabic*): We would like to thank you, Mr. President, for convening this meeting, as well as Ms. Rosemary DiCarlo, Under-Secretary-General for Political Affairs, and Ms. Ursula Mueller, Assistant Secretary-General for Humanitarian Affairs, for their useful briefings on the situation in eastern Ukraine.

At the outset, we renew our commitment to respecting the unity, sovereignty and territorial integrity of Ukraine within its internationally recognized borders, without interference in its internal affairs. We hope that all relevant stakeholders will fully implement resolution 2202 (2015) and the Minsk agreements for peace, as well as presidential statement S/PRST/2018/12 of 6 June. We hope that they will seek a comprehensive and balanced solution to this issue through dialogue, especially in line with the Normandy format and the Trilateral Contact Group, in order to achieve immediate progress on the implementation of the Minsk Agreements. We also urge both Ukraine and the Russian Federation to reach a peaceful solution to the crisis and to show greater political will not only to strengthen the ceasefire and implement previous agreements, but also to revitalize a lasting and comprehensive negotiation process.

The announcement of so-called early elections in the regions of Donetsk and Luhansk on 11 November contradicts the spirit and letter of the Minsk agreements for peace, which include specific provisions on holding local elections in those areas. In that regard, any steps that could hinder progress in implementing the Minsk agreements must be avoided.

Following the briefing given by Ms. Mueller, we note that the humanitarian situation is still bad, owing to the many obstacles to the relief work and the lack of funding for the response plan. The hostilities continue in eastern Ukraine, despite a relative improvement in the situation. Shelling, light weapons and landmines still represent a deadly threat to civilians, who continue to be killed and maimed. In that regard, we stress the importance of ensuring the delivery of humanitarian assistance to all the areas affected in order to improve residents' living conditions.

In conclusion, we call for a peaceful solution to the crisis in eastern Ukraine, in line with the relevant Security Council resolutions and the agreements signed by the parties involved, including the Minsk agreements, which are the appropriate way to settle the

crisis in the region, along with the mediation efforts of the stakeholders who enjoy the respect and appreciation of the two parties to the conflict and the international community as a whole.

Mr. Tumysh (Kazakhstan): I want to express my appreciation to Ms. Rosemary DiCarlo, Under-Secretary-General for Political Affairs, and Ms. Ursula Mueller, Assistant Secretary-General for Humanitarian Affairs and Deputy Emergency Relief Coordinator, for their important updates.

Kazakhstan takes a balanced approach to resolving the Ukrainian crisis through peaceful negotiations, maintaining a mediation process based on key principles, international legal norms and the Charter of the United Nations. My country continues to take part in multilateral consultations on the quest for a settlement of the crisis. Kazakhstan is determined to work with all members of the Council on the issue, without resorting to political expedients and in an open, objective, responsible and constructive way.

President Nursultan Nazarbayev of Kazakhstan contributed significantly to the launch of the Normandy format and the eventual conclusion of the Minsk agreements, and has repeatedly expressed Kazakhstan's readiness to give comprehensive assistance in the process of the peaceful settlement of the situation in south-eastern Ukraine. We therefore support the efforts of the international community to resolve the conflict by political and diplomatic means, including through dialogue and confidence-building measures. We are in favour of intensifying the work of the Normandy format and increasing the effectiveness of the Trilateral Contact Group for the peaceful settlement of the situation in the south-east of Ukraine.

Kazakhstan fully endorses the activities of the Trilateral Contact Group and its working groups on implementing confidence-building measures. In that regard, we are concerned about the fact that the negotiation process to resolve the Ukrainian conflict has actually been suspended in the past few months, as evidenced by the lack of contacts in the Normandy format at higher levels. It seems that the key international participants in the Ukrainian crisis cannot devise a common plan of action. Kazakhstan, like other members of the international community, recognizes the importance of the Minsk agreements for settling the conflict in the south-east of Ukraine, and the implementation of those agreements as the only mechanism currently agreed to by the parties. We want to point out that they were endorsed by resolution 2202 (2015) of 17 February 2015, which reinforces their importance and the responsibility of the parties for strictly implementing the agreements reached, including a sustainable and long-term ceasefire, the withdrawal of heavy weapons and a resolution of political challenges.

To that end, with regard to the upcoming elections in certain areas of the Donetsk and Luhansk regions, Kazakhstan calls on all participants in the negotiation process to resolve the situation in south-eastern Ukraine and adhere to the provisions of the Minsk agreements. We have repeatedly called for strict compliance with resolution 2202 (2015) on those agreements, which we consider the only viable existing mechanism for a peaceful solution to the conflict. It is vital to preventing further escalation of the conflict and an intensified exchange of sanctions, as well as to continuing the search for peaceful ways to overcome differences.

It is especially important to our plurinational country that Ukraine remain sovereign, stable and independent, with an ethnically and religiously diverse society in which all human rights are upheld within the humanitarian space and all civilians are secure. We thank Ms. Mueller for bringing the humanitarian dimension to our attention and for her important information. We believe that sustainable peace and the full normalization of the situation can also be achieved through economic recovery. We therefore call for the establishment of confidence-building measures on the economic front as well. We should not enable tensions to escalate further, for the sake of the people who are suffering under horrible living conditions and the constant threat of renewed active warfare.

Mr. Woldegerima (Ethiopia): We thank Under-Secretary-General DiCarlo and Assistant Secretary-General Mueller for their briefings on the latest situation in eastern Ukraine.

We note the recent status report and the daily reports of the Special Monitoring Mission to Ukraine of the Organization for Security and Cooperation in Europe (OSCE), which indicate that there is a volatile security situation on the ground and an increase in the levels of violence and civilian casualties. In the recent thematic report of the Special Monitoring Mission we also noted the impact of the ongoing situation on efforts to improve the humanitarian situation. We understand

the effects of the deteriorating security situation on civilians and infrastructure and the resulting importance of responding to humanitarian needs on the ground. We believe that the implementation of the ceasefire regime agreed to by the parties is vital to de-escalating the increasing tensions and helping to address the needs of the civilian population. In that regard, we should note the recent call for restraint by Mr. Ertuğrul Apakan, Chief Monitor of the OSCE Special Monitoring Mission to Ukraine, who also urged all sides to protect the population and deliver on their commitments to ending the violence, and especially to withdrawing weapons, disengaging, demining and adhering to the ceasefire.

There is no doubt that only a peaceful settlement can resolve the situation in eastern Ukraine. That is why it is absolutely imperative that the parties remain fully committed to the implementation of the Minsk agreements and strictly adhere to resolution 2202 (2015), which endorsed the package of measures for their implementation. We can only hope that the parties will be able to make progress within the framework of the Normandy format and other relevant formats in order to tackle outstanding issues in the implementation of the Minsk agreements. As some of my colleagues have said, that is the only way to find a lasting political solution to the situation in Ukraine.

Mr. Nebenzia (Russian Federation) (*spoke in Russian*): Russia insisted that today's meeting be held as an open briefing, because we want everybody to hear the truth. On 31 August Mr. Alexander Zakharchenko, the leader of the Donetsk People's Republic, died in a terrorist attack. His signature was on the Minsk agreements and his death has had a negative impact on the settlement of the crisis. It is clear that his murder was designed to destabilize the situation in the region. There is strong evidence to suggest that the Ukrainians were involved in his murder, and that is fully consistent with Kyiv's confessed logic of dealing with its internal crisis by force. Our Western colleagues have not expressed any views on the crime and today were too afraid to give the floor to the republics' representatives, who could have informed the Council about the progress of the investigation.

On 11 November, elections are due to be held to elect the Republics' leaders and deputies to the people's councils, owing to the need to fill the power vacuum left by Mr. Zakharchenko's murder. As far as the elections' legitimacy is concerned, they have nothing to do with the Minsk package of measures, which covers municipal elections. It is simply that people need to live and make their region habitable in the current circumstances, with a blockade by Kyiv and the Ukrainian leadership's constant threats of the use of force.

The situation in south-eastern Ukraine remains volatile. Kyiv is not adhering to the ceasefire agreements and has moved at least 15 kilometres farther into the so-called grey zone. It is obstinately refusing to fulfil its political commitments, trying to marginalize the mechanisms of the Trilateral Contact Group and launch a second round of discussions on matters that have already been agreed. Its Western partners are encouraging that, declaring, like Kurt Volker, that there is no place under the Minsk agreements for the proclaimed Donbas republics and that they should not exist. And President Poroshenko declares that there is no Minsk format. What sort of reaction are we to expect from Donbas to such rhetoric?

Today we witnessed yet another round of hypocrisy. Kyiv's total, shameless and prolonged sabotage of the Minsk agreements practically from day one has been completely ignored. Instead of admitting that fact, the discussion in the Security Council is about the elections coming up in November, which represent an essential measure considering the circumstances of Kyiv's sabotage of its political obligations, when the people of Donbas — who are Ukrainian citizens, by the way — have been abandoned by the Ukrainian authorities.

We discussed the situation in Ukraine in the Security Council at the end of May (see S/PV.8270). At the time, in this Chamber, we laid out the details, point by point, of the content of the Minsk agreements, which some people here never tire of calling on Russia to implement. Every item in the package of measures is about Ukraine and the militias, and none of them has to do with Russia. And Ukraine has not implemented a single one of them. For two years now Kyiv has refused to consolidate the Steinmeier formula that the Ukrainian President signed on to, specifying the procedure for implementing the package of measures, including the holding of elections. And yet we are constantly being told that Kyiv is allegedly implementing the agreements. References are made to the Verkhovna Rada's enactment and recent extension of a law on Donbas's special status. But has anyone here read further down the law than its title? We have repeatedly appealed to the Organization for Security and Cooperation in Europe (OSCE) to conduct a comparative analysis of the Minsk package and this

law, since it is completely obvious that it contradicts it. Unlike the Minsk package, the law was developed without the consent of the Donetsk and Luhansk People's Republics and the special status it creates is only temporary. Its entry into force is conditional on the implementation of other steps that violate the carefully established sequence in the Minsk agreements. The amendments to the Constitution on decentralization have been indefinitely postponed, and the amnesty law has not entered into force.

It is the European Union and the United States that are to blame for the Kyiv authorities' non-compliance with the Minsk agreements. They keep telling us that the anti-Russian sanctions will be lifted when the Minsk agreements are implemented. And as long as those currently in power in Kyiv are not implementing them, that position represents an invitation to Ukraine to continue sabotaging the Minsk agreements, since it is Russia that will have to pay for it. And Kyiv is happy to take advantage of that. The same goes for the elections. Kyiv has done nothing to implement the political parts of the Minsk package, including the election provisions, but it protests when the people of Donetsk start preparing to fill the vacuum created by Zakharchenko's murder.

A feature of our Western colleagues is that they prefer not to hear anything that does not suit them or that they do not like. That also applies to the package of measures for implementing the Minsk agreements. We urge everyone once again to read the actual document, which is an aid to understanding. Our Western colleagues were political and financial sponsors of the so-called revolution of honour, or rather, the coup d'état, something they do not like to hear. They were the guarantors of the agreement signed between Yanukovych and the opposition, which the opposition immediately violated when it seized power. They do not like to hear about that either. They prefer to go on about Russian aggression and the Russian military presence, which Alexander Hug, the Principal Deputy Chief Monitor of the OSCE Special Monitoring Mission to Ukraine, did not observe. True, he was immediately disavowed and that part of his interview was simply deleted.

The problem is that they have given the Ukrainian authorities carte blanche. They close their eyes to everything that goes on there. They let them do and say whatever they please, and the Kyiv authorities do just that. Look at Ukraine's foreign policy or, more precisely, the lack of it. Everything that the Kyiv authorities' mouthpieces do and say in the international arena, their entire foreign policy agenda, comes down to one thing, invective and philippics directed at Russia and anti-Russian initiatives. That is it. The Roman senator Cato, with his endless call for Carthage to be destroyed, pales by comparison. But unlike us, our Western colleagues are deprived of the rare pleasure of hearing, without interruptions or translations, Ukraine's internal political discourse or, as they pompously term it, the dialogue in their politicum. To take just one quote from Verkhovna Rada deputy Oleh Barna on the leading Ukrainian TV channel:

> "Russians are not a people. They are a population without a history. They are bastards, Tatar-Mongolian mongrels. People who have always stolen from everyone."

That is word for word, and I could cite a bunch more like it.

Why am I doing this? Because everyone in Ukraine knows Russian. Approximately half of the population speaks it as if it were their first language. And in fact the ratio in favour of the Russian language is greater than that. For the Council's information, the Ukrainian authorities, including President Poroshenko, speak Russian among themselves and in their everyday life. Only on television do they speak Ukrainian. Not to mention the fact that a significant part of the population of Ukraine is Russian. Ukraine enacted a discriminatory language law that in effect has left no room for the Russian language in the educational arena. The same goes for Hungarian, by the way. Ask the Hungarians. But the scale of the damage to the Russian language is greater. That was what the Venice Commission concluded about the discriminatory nature of the law. But the Kyiv authorities are not about to change anything, they just keep stepping on the same rake. After all, the language issue was one of the main reasons for the start of the conflict in Donbas. But it is not just about that. Our Western colleagues do not want to understand, or cannot, that for the people of Donbas — and not only Donbas, believe me — living in a country where politicians like Barna are mainstream — and they are mainstream — the issue is not merely political or economic, it is existential. The people in the Crimea breathed a sigh of relief when they chose to join Russia through a voluntary referendum. If they had not, things would be worse there now than they are in Donbas.

During the so-called revolution of honour in Kyiv, the following one-word hashtag appeared: #theyarejustchildren. It meant "Why take this away from them? Just indulge them and it will pass." We have a saying similar to "Don't play with matches" — "Matches are not children's toys". Now those children are walking around Kyiv with torchlight processions and Nazi slogans and fighting in Donbas with the nationalist volunteer battalions. That is something else our Western colleagues prefer not to notice. They have let the genie out of the bottle, but now it is not that they do not want to put it back. They cannot.

The great Russian poet Alexander Pushkin wrote the following lines: "Oh, it isn't hard to deceive me. / I am happy to deceive myself."

That is about these gentlemen in the Council.

The President (*spoke in Spanish*): I will now make a statement in my capacity as the representative of Bolivia.

My delegation thanks Ms. Rosemary DiCarlo, Under-Secretary-General for Political Affairs, and Ms. Ursula Mueller, Assistant Secretary-General for Humanitarian Affairs and Deputy Emergency Relief Coordinator.

We reiterate that the package of measures for the implementation of the Minsk agreements continues to be the basis on which the international community is committed to pursuing a durable peace in eastern Ukraine. In that regard, we call on all parties to comply strictly with it. The provisions of these agreements, along with the development of confidence-building measures, are essential to consolidating the efforts that the parties should make in seeking a political solution to the crisis in Ukraine. In that regard, we call on the parties to comply with the principles and purposes enshrined in the Charter of the United Nations and to respect international humanitarian law.

We call on all parties to refrain from attacks and from activities that incite violence or an escalation of hostilities, to abide by the ban on the use of heavy artillery, respect the ceasefire, allow unconditional humanitarian access and facilitate full and safe access for the Special Monitoring Mission to Ukraine of the Organization for Security and Cooperation in Europe (OSCE) so that it can carry out its functions on the ground. In that regard, we call on the parties to address the root causes of the conflict in order to achieve a lasting solution that takes into account the rights, interests and legitimate claims of all the parties, including ethnic groups, so as to achieve a balance of interests and a political solution to the issue.

With regard to the humanitarian situation, successive violations of the ceasefire have had a devastating effect on the lives of millions of civilians. To that we have to add the attacks on urban areas and civil infrastructure that affects 60 per cent of the people living along the so-called line of contact, which is one of the areas most contaminated by anti-personnel mines. In that regard, we call on all parties to adhere strictly to their obligations regarding the protection of civilians, including resolution 2286 (2016), within a framework of respect for international humanitarian law. We also firmly support the efforts of the Special Monitoring Mission of the Organization for Security and Cooperation in Europe, which is carrying out important work in difficult circumstances.

Lastly, we reiterate that there is no military solution to this conflict. The international community and the Council must unite in making every effort possible to achieve a lasting peace that will benefit the region in the long term.

I now resume my functions as President of the Council.

I give the floor to the representative of Ukraine.

Mr. Yelchenko (Ukraine): I thank you, Mr. President, for having convened this meeting. I also appreciate the briefers' presentations and analyses of the situation, as well as their expressed support for the sovereignty and territorial integrity of Ukraine. My sincere thanks also go to the delegations of Sweden, France, the Netherlands, Poland, the United Kingdom and the United States for their initiative to bring to the Council's attention the issue of preparations for the holding of illegal elections to be held on 11 November in the occupied areas of the Donetsk and Luhansk regions of Ukraine.

Apparently, I am also supposed to thank the Russian delegation for the proposal to hold this meeting in the Chamber for the sake of transparency. However, as has become plainly obvious from the Russian statement, the Russian delegation is preoccupied first and foremost with using the Council as a platform to wage its disinformation campaign with regard to Ukraine and to accuse the Ukrainian Government of everything and anything that happens in the occupied territories.

Such behaviour has nothing to do with enhancing transparency, but it definitely has everything to do with desperate attempts to avoid responsibility for Russia's well-documented wrongful acts against Ukraine — its military aggression, occupation and attempted illegal annexation of Ukraine's territories. It is the behaviour of a hardened and unrepentant criminal determined to make a mockery of the justice system. I would therefore like to express my deepest disappointment over the stance of the Russian side, which appears to be hell-bent on sabotaging all genuine efforts to find a peaceful solution to the conflict and to bring peace to the war-torn regions of Donbas.

The main trigger for today's discussion is the intention of the Russian occupation administration in the temporarily occupied territories of the Donetsk and Luhansk regions of Ukraine to hold so-called early elections, which in reality would amount to putting the leaders of armed gangs in the seats of illegitimate representative bodies. That is nothing but a provocation and an outrage against the Minsk agreements and Ukraine's sovereignty. It is very unfortunate that the Kremlin chose the path of further escalation of the situation instead of the full implementation of the Minsk agreements.

As Ukraine's Foreign Ministry stated on 7 September, the results of those fake elections will be null and void, will not have any legal effect and will be recognized neither by Ukraine nor by the international community. Moreover, such actions only undermine the Minsk agreements and inflict serious harm on international efforts to resolve a situation that arose as a result of the Russian military aggression and occupation of parts of Ukraine's territory. The Russian Federation knows very well that those so-called elections violate the Constitution of Ukraine and Ukraine's law on interim local self-government order in certain areas of the Donetsk and Lugansk regions, and goes against both the letter and the spirit of the Minsk agreements, which, as the Russian Federation is fond of recalling, were endorsed by resolution 2202 (2015) in 2015.

On 4 October this year, the Ukrainian Parliament extended the validity of the aforementioned law until the end of 2019, yet again confirming Ukraine's adherence to its commitments under the Minsk agreements. Despite having more than enough time to assess the damage to the political process that those so-called elections will inflict, the Russian Federation is deliberately pushing forward with carrying out that provocation. None of us here has a crystal ball into the future, but there are indications that those so-called elections might serve as a stepping-stone towards a new cycle of Russian armed aggression. In that regard, I thank all members of the Security Council that have given their clear assessment of such actions by the Kremlin regime. Let me make it clear that only legitimately and lawfully elected officials can represent the local communities in Donbas, and not the Kremlin's puppets sent from or appointed by Moscow. Therefore, any elections that are to be recognized as such have to be conducted according to Ukrainian legislation, in line with the standards of the Organization for Security and Cooperation in Europe (OSCE) and under proper international monitoring.

Since the scope of today's discussion was broadened by the Russian Federation with its sweeping assessments, unequivocal characterizations and historical overview, I wish to highlight the following points with regard to a much larger picture of Russia's destructive activities in and around Ukraine. By the way, I was somewhat surprised by the tone of the representative of the Russian Federation, which is becoming more and more undiplomatic, if not vulgar, with every successive Security Council meeting on Ukraine.

We have all heard on numerous occasions the Russian mantra, which has also been repeated today, that the Ukrainian Government should engage directly with representatives of Luhansk and Donetsk. A very inconvenient truth for the Russian side lies in the fact that there are no legitimate representatives of Luhansk and Donetsk, freely elected by the people. The persons sitting in the administrative buildings in Luhansk and Donetsk are simply Moscow's puppets, who are installed or removed from their positions at the whim of their Kremlin masters. The presence of Russian citizens and security personnel in those administrations, in addition to the provision of crucial financial and military support, continues to this day and remains a decisive factor in running the day-to-day governance in the occupied areas of Donbas. Russia continues to exercise full political and administrative control over the region. Moscow has created and supported the illegal armed formations in Donetsk and Luhansk. Their very existence would be impossible without Russia's direct financial aid, which amounts to $1.3 billion per year. The Russian armed forces exercise full command and control over military formations in the occupied areas of Ukraine.

Here are just a few facts from the latest reports of the OSCE Special Monitoring Mission in Ukraine (SMM), since the Russian representative mentioned the interview with Mr. Hug. In August, its unmanned aerial vehicles (UAV) detected convoys of cargo trucks illegally crossing at night the segment of the Ukrainian-Russian State border currently controlled by the Russian side. The convoy then drove to the town of Khrustalny, a well-known storage facility for Russian heavy weapons. Later, in the same village, the SMM spotted hundreds of ammunition crates, some of which were assessed to be brand new, as well as 118 crates of multiple-launch rocket-system rockets. According to reports of the SMM, its monitors also identified four distinct electronic warfare systems near a non-Government-controlled village. Do I have to say that those systems are employed exclusively by the Russian army? In September, the SMM reported a convoy of 10 Kamaz canvas-covered cargo trucks near the border with the Russian Federation where there are no border crossing facilities. On three occasions, from 9 to 12 October, an SMM UAV spotted vehicles, including an anti-aircraft gun and an armoured personnel carrier, entering and exiting Ukraine in the middle of the night via an unpaved road near another village in a non-Government-controlled area of the Donetsk region, near the border with the Russian Federation.

In a final stroke, on 27 October an SMM UAV spotted, in non-Government-controlled territories, a surface-to-air missile system known in Russian as *Osa*, which means "wasp" and English, and subsequently a convoy of seven trucks on a dirt road near the border with the Russian Federation. The UAV then experienced signal interference, which was determined to be caused by jamming, after which all communication with it was lost. The UAV did not return to its ground-control station and is considered lost. Maybe, as Russia often claims, that should be attributed to peaceful retired local coal miners, or maybe to the Russian military officers who decided to spend their vacation time picking mushrooms in the nearby forest.

In just the past three months, the SMM has observed convoys, including trucks, on seven occasions on the same aforementioned unpaved road in the area near the border. We are just talking about one small area near the border with the Russian Federation. Does anyone have any doubt as to who is in charge there? Does anyone believe the Russian narrative that there are independent authorities in Luhansk and Donetsk, and that Moscow is merely playing the role of mediator? Really?

If anyone thinks that the only flash point in Ukraine-Russian relations is in Donbas, they would be gravely mistaken. Let us have a look at the Sea of Azov, which has been turned into another theatre of belligerent Russian actions against Ukraine. In the past six months, the Russian Federation has stopped, in an abusive manner, over 200 vessels bound for the Ukrainian ports of Mariupol and Berdyansk. As confirmed by the SMM, those interruptions to commercial shipping have caused economic and trade disruptions resulting in commercial losses for the ports, which employ thousands of people. Such actions are inconsistent with Russia's obligations under the United Nations Convention on the Law of the Sea and breach the navigational rights of Ukraine and of the flag States of the stopped vessels. Vessels bound for Russian ports in the Sea of Azov have not been subjected to similar disruptive stoppages.

Then there is the Kerch Strait Bridge, built unlawfully and unilaterally in violation of Ukraine's rights. It has become a major hindrance to international navigation. The bridge is only 35 metres high, and only vessels with an air draft of less than 33 metres and a length of less than 160 metres may safely pass under it. As a result, panamax vessels and many handymax vessels are now prevented from transiting the Kerch Strait. That has had a major impact on traffic to Ukraine's ports.

Russia also uses the Sea of Azov as an additional channel to supply its forces in Donbas with weapons from the occupied territory of Crimea. According to our information, Russia has not given up on the idea of having a land corridor to Crimea. Furthermore, the threat of a maritime assault from the Azov direction in the case of a large-scale military confrontation remains a source of security destabilization in the Donetsk region. In the occupied Crimea, active militarization proceeds at full speed. Russia has more than doubled the strength of its military on the peninsula and continues to prepare Crimean military infrastructure for the deployment of nuclear weapons. That includes refurbishing Soviet-era nuclear warhead storage facilities.

The human rights situation on the peninsula also remains highly alarming. The findings of the Office of the United Nations High Commissioner for Human Rights confirm the continuing failure of the Russian

Federation authorities, as the occupying power, to adequately guarantee and protect a wide range of human rights in Crimea. Russia keeps ignoring the order of the International Court of Justice, issued one year ago, that requires, among other things, for Russia to refrain from maintaining or imposing limitations on the ability of the Crimean Tatar community to preserve its representative institutions, including the Mejlis, as well as to ensure the availability of education in the Ukrainian language. Despite the clear meaning of that order, an entire year has passed in which Russia has continued its ban on the Mejlis and the number of students studying in the Ukrainian language dropped from more than 13,000 in the 2013-2014 academic year to just 172 in the 2017-2018 academic year. Let us take a moment and think of those numbers — more than 13,000 and 172. It is a great difference.

I would add to that the fact that during the period from 2014 to 2017, 108,000 people moved from the Russian Federation to Crimea and Sevastopol. What is that if not a deliberate policy to change the demographic composition of the region? Over 70 Ukrainian citizens have been detained in Russia and the occupied Crimea by Russian authorities under trumped-up, politically motivated charges. Oleg Sentsov, facing the threat of torture by force-feeding, had to terminate his hunger strike after a four-month struggle. His health has deteriorated dramatically and his condition remains critical. The recent decision of the European Parliament to award the Sakharov Prize to Oleg Sentsov is a powerful signal to all those illegally detained that they are not forgotten. The health conditions of Volodymyr Balukh, Asan Chapuch, Emir-Usein Kuku, Stanislav Klykh, Ihor Hryb, Yevhen Panov and many others who do not receive appropriate medical assistance remains of great concern.

I have behind me today Ms. Emine Dzhaparova, First Deputy Minister of Information Policy of Ukraine. She is a Crimean Tatar; she was born there. She lived and worked in Crimea and she had to leave after the Russian occupation. And she can tell a thousand stories about what is happening in the current reality of Crimea.

That whole bleak picture would be incomplete without mentioning the massive campaign of propaganda and incitement of hatred against Ukraine and Ukrainians launched by the Russian Government. Russian State-owned media and public figures spend hours on prime-time television to promote insinuations about the Ukrainian people. That has already played a significant role in the occupation of Crimea and in fuelling the conflict in Donbas.

What is to be made of all this? It is both quite simple and extremely difficult at the same time. The keys to the resolution of the conflict lie in Moscow. On our part, we are ready for constructive engagement to end the conflict. Alas, such readiness is not yet present in Russia. As regrettable as it may be, until there is a tangible change in Russian policy towards building genuine neighbourly relations with countries around its borders, based on respect for sovereignty and territorial integrity, instead of creating areas of instability and waging wars, the Council will continue to gather around this table to discuss the never-ending follies of Russia's expansionist and aggressive policies. One thing is for sure — appeasing the Kremlin and playing along will not contribute to building a more stable and safer world.

The meeting rose at 4.50 p.m.

United Nations S/PV.8387

Security Council

Seventy-third year

Provisional

8387th meeting

Wednesday, 31 October 2018, 3 p.m.
New York

President:	Mr. Llorentty Soliz	(Bolivia (Plurinational State of))
Members:	China	Mr. Wu Haitao
	Côte d'Ivoire	Mr. Adom
	Equatorial Guinea	Mr. Ndong Mba
	Ethiopia	Mr. Amde
	France	Mr. Delattre
	Kazakhstan	Mr. Tumysh
	Kuwait	Mr. Alotaibi
	Netherlands	Mr. Van Oosterom
	Peru	Mr. Meza-Cuadra
	Poland	Mr. Lewicki
	Russian Federation	Mr. Nebenzia
	Sweden	Ms. Schoulgin Nyoni
	United Kingdom of Great Britain and Northern Ireland	Mr. Clay
	United States of America	Mr. Cohen

Agenda

The situation concerning Western Sahara

Report of the Secretary-General on the situation concerning Western Sahara (S/2018/889)

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The meeting was called to order at 3 p.m.

Adoption of the agenda

The agenda was adopted.

The situation concerning Western Sahara

Report of the Secretary-General on the situation concerning Western Sahara (S/2018/889)

The President (*spoke in Spanish*): The Security Council will now begin its consideration of the item on its agenda.

Members of the Council have before them document S/2018/970, which contains the text of a draft resolution submitted by the United States of America.

I wish to draw the attention of Council members to document S/2018/889, which contains the report of the Secretary-General on the situation concerning Western Sahara.

The Council is ready to proceed to the vote on the draft resolution before it. I shall put the draft resolution to the vote now.

A vote was taken by show of hands.

In favour:

China, Côte d'Ivoire, Equatorial Guinea, France, Kazakhstan, Kuwait, Netherlands, Peru, Poland, Sweden, United Kingdom of Great Britain and Northern Ireland, United States of America

Against:

None

Abstaining:

Bolivia (Plurinational State of), Ethiopia, Russian Federation

The President (*spoke in Spanish*): The draft resolution received 12 votes in favour, none against and three abstentions. The draft resolution has been adopted as resolution 2440 (2018).

I now give the floor to those members of the Council who wish to make statements after the voting.

Mr. Cohen (United States of America): As the United States said in April (see S/PV.8246), we have embarked on a new approach to the mandate of the United Nations Mission for the Referendum in Western Sahara (MINURSO).

First, there can be no more business as usual on Western Sahara. Secondly, we must lend our full support to the Personal Envoy of the Secretary-General for Western Sahara, Mr. Köhler, in his efforts to achieve a just, lasting and mutually acceptable solution that will provide for the self-determination of the people of Western Sahara. We are encouraged by the progress made in the past six months. We welcome Personal Envoy Köhler's decision to restart a direct negotiation process, beginning with a round table in Geneva. We are pleased that Morocco, the Frente Popular para la Liberación de Saguía el-Hamra y de Río de Oro, Algeria and Mauritania have all accepted Personal Envoy Köhler's invitation in good faith and without preconditions. We urge that they engage constructively with the Personal Envoy throughout the duration of the process in order to realize a realistic, practicable and enduring political solution. However, we caution against any notion that we have crossed a finish line. The political process is only beginning.

We believe that direct negotiations under United Nations leadership offer a real opportunity to achieve a mutually acceptable solution, and the upcoming meeting in Geneva will be a critical first step in the process. The parties must remain committed to negotiations at the December round table and throughout to a successful conclusion. The meeting in December is not a one-off event. It must be the beginning of a process of direct negotiations. We fully support Personal Envoy Köhler and believe that the Security Council should do everything it can to ensure that he can actively lead and advance the political process, while building on the momentum we hope Geneva will generate, in order to achieve a long-overdue political solution. The United States further calls on the parties to respect their relevant obligations and assurances and refrain from any actions that could undermine United Nations-facilitated negotiations or further destabilize the situation in Western Sahara.

We express our gratitude to and full support for Personal Envoy Köhler and his team. We welcome the Personal Envoy to the Security Council at any time to brief it on the status of his efforts. We also express thanks to the Special Representative of the Secretary-General for Western Sahara, Colin Stewart, and all those working tirelessly as part of MINURSO. We

thank the Government of Switzerland for hosting the upcoming talks.

There are those among us who would have preferred a 12-month mandate. However, the political process now beginning under the Personal Envoy's leadership requires the Security Council's close attention and support. Shortening MINURSO's mandate to end in April 2019 signals that the Council is determined to accelerate the political process and move beyond the status quo. Renewing MINURSO's mandate for only six months reflects our continuing resolve to see the negotiations proceed swiftly, in good faith and without preconditions. It also makes clear that the Security Council will not let Western Sahara and MINURSO slip into the shadows.

As the political process resumes, the United States will carefully evaluate the MINURSO mandate going forward. Further renewals will not be automatic and will hinge on whether or not MINURSO is contributing to a political solution. With the launch of a political process, we have started to rectify one of the key challenges to MINURSO, which is making sure that the peacekeeping Mission supports a political solution. That change was pivotal to our decision to continue extending the mandate of the peacekeeping Mission. As we said in April, the United States will continue to stand by the core principle that peacekeeping missions must support political solutions, and we will assess MINURSO's future performance accordingly. The United States will continue doing everything possible to support Personal Envoy Köhler and to advance negotiations.

Mr. Delattre (France) (*spoke in French*): At the outset, I would like to thank the American penholder for its in-depth consultations and efforts to take all views on board in drafting the text. I will focus on three issues.

First, France welcomes the adoption of resolution 2440 (2018), which renews the mandate of the United Nations Mission for the Referendum in Western Sahara (MINURSO). The consultations held on 11 October with the Special Representative of the Secretary-General for Western Sahara, Colin Stewart, emphasized the key role played by MINURSO to maintain calm and preserve the ceasefire in the area. As underscored in the Secretary-General's report (S/2018/889), the force plays an indispensable preventive role in maintaining regional stability. That essential point was also highlighted by the independent assessment.

I would like to pay tribute to the Special Representative and his teams who, through their presence, are mitigating tensions and helping to reduce the risk of escalation. On the basis of these elements, France reiterates its commitment to a stable mandate of 12 months. The six-month renewal contained in resolution 2440 (2018), which we have just adopted, must remain exceptional, as it is our responsibility not to disrupt the management and planning of the Mission's resources. This is as true for MINURSO as it is for the other operations mandated by the Council. The shortening of mandates seems to be a false good idea that has no real effect on the political process but could weaken the United Nations system. Maintaining an annual framework is important to ensuring the stability of peacekeeping operations.

It is the calm on the ground that MINURSO has achieved that makes progress in the political sphere possible. We therefore welcome the absence of a major threat to the ceasefire, as acknowledged in the resolution, and the improved situation on the ground since our last renewal. The Council sent clear messages in April (see S/PV.8246) that have borne fruit. Our role is to be vigilant in recalling that the ceasefire must continue to be fully respected.

Finally, in the context of a more peaceful atmosphere, the Council fully supports the efforts of the Personal Envoy in the political process, which is also illustrated by the text adopted today. Following the success of his visit to the region in late June and early July, the Personal Envoy of the Secretary-General for Western Sahara, Mr. Horst Köhler, laid the groundwork for bringing Morocco, the Frente Popular para la Liberación de Saguia el-Hamra y de Río de Oro, Algeria and Mauritania together at a preliminary round of talks in early December in Geneva. The resolution also welcomes the positive response of these four actors to the invitation to participate in this discussion.

To that end, it will be very useful for the Personal Envoy to continue his advance consultations so as to better prepare this exercise. We encourage the participants to play a constructive role therein, and recall that, for France, the autonomy plan proposed by Morocco constitutes a serious basis for future discussions. I welcome the fact that the Security Council is lending its full support to the dynamic I have just recalled.

Ms. Schoulgin Nyoni (Sweden): Sweden voted in favour of resolution 2440 (2018) today, as it extends the mandate of the United Nations Mission for the Referendum in Western Sahara (MINURSO), and expresses full support for the Secretary-General and his Personal Envoy for Western Sahara, as well as for the resumption of the negotiating process, beginning with the round table meeting in Geneva later this year.

When Sweden entered the Council as an elected member almost two years ago, it was in the firm conviction that the United Nations-led political process — dormant for almost a decade — needed to be revived. However, this was far from given. The Council was faced with a dangerous stand-off in Guerguerat that threatened the ceasefire and could have led to renewed hostilities. MINURSO was hampered in carrying out its mandate as its full functionality had not been restored and the level of trust between the parties and the United Nations was at a low. I think everyone in the Chamber recognizes that we have come a long way since.

A new Secretary-General decided to directly engage with the parties, paving the way for the restoration of the full functionality of MINURSO and eventually a solution to the Guerguerat crisis. The Secretary-General's ambition to relaunch the United Nations-led political process with a new dynamic and spirit led to the appointment of Horst Köhler as his Personal Envoy. We pay tribute to his tremendous efforts and his personal dedication. Following the Personal Envoy's consultations with the parties and neighbouring States over the past year, he is now finalizing preparations for a round table meeting in December. We welcome the positive response from all those invited as a positive sign of a renewed commitment to the United Nations-led political process.

As a member of the Council, our ambition was to contribute to breaking the deadlock on the question of Western Sahara and moving beyond the status quo. It is in this spirit that we have worked in support of the United Nations, MINURSO and Personal Envoy Köhler. We have tried to bring more attention to the humanitarian situation and the insufficient funding for Sahrawi refugees. We have advocated for the full inclusion of women and youth in the political process, and we have encouraged enhanced cooperation with the Office of the United Nations High Commissioner for Human Rights, including for conflict visits to the region.

Resolution 2351 (2017) turned the page following a year of many challenges. Resolution 2414 (2018) paved the way for a resumed United Nations-led political process, and resolution 2440 (2018) sustains the positive momentum towards advancing direct negotiations. MINURSO has our unwavering support, as it upholds the ceasefire and serves as a conflict prevention tool. It also plays a key role in supporting a United Nations-led political process that is finally under way. While a strong and effective Mission remains essential, our shared goal must be to ultimately make MINURSO obsolete by reaching a just, lasting and mutually acceptable political solution that will provide for the self-determination of the people of Western Sahara. This ultimate aim remains as valid as ever.

Finally, we want to commend the United States for its extraordinary leadership on Western Sahara. This is a question that has suffered from a lack of attention and political will for far too long. That clearly is no longer the case. There is now a real opportunity to find a sustainable political solution and resolve one of the most long-standing disputes on the agenda of the United Nations. This must be seized to end the plight of the people of Western Sahara and to realize their legitimate aspirations.

We urge the parties and neighbouring States to continue to constructively engage with the Secretary-General and his Personal Envoy without preconditions and in good faith as they prepare for direct talks in Geneva and beyond.

Mr. Clay (United Kingdom): The United Kingdom was pleased to vote in favour today of resolution 2440 (2018), which supports the work of the Personal Envoy of the Secretary-General for Western Sahara, Mr. Horst Köhler, and rightly focuses on progress that must be made towards a lasting and mutually acceptable solution that will provide for the self-determination of the people of Western Sahara.

The United Kingdom strongly supports the efforts of Mr. Köhler, as well as the work of the United Nations Mission for the Referendum in Western Sahara (MINURSO) and its Head, Mr. Colin Stewart. We are very grateful to our United States colleagues for their efforts to ensure that the resolution sends a signal of the Council's strong support for political progress, while underpinning the important work of MINURSO.

The United Kingdom looks forward to the round table talks in December, which will mark the start

of a process, and encourages all concerned to work constructively with the Personal Envoy in the spirit of compromise through the duration of the process to ensure a successful outcome.

Mr. Nebenzia (Russian Federation) (*spoke in Russian*): The Russian Federation welcomes and supports the initiative of the Personal Envoy of the Secretary-General for Western Sahara, Mr. Horst Köhler, to convene negotiations in Geneva in December between the parties to the Western Sahara settlement, with the participation of neighbouring countries. We urge all those invited to join the dialogue without preconditions and with the aim of achieving a mutually acceptable solution. It is in that spirit that we are working with all parties concerned, with whom we enjoy relationships of trust.

The international community, including the Security Council, must contribute to the success of the process initiated by Mr. Köhler, which creates a unique chance to make progress on the Western Sahara settlement. Our collective efforts should be based on the parameters previously agreed by the Security Council, which, in accordance with relevant Council resolutions, identify the parties to the Western Sahara conflict; are based on the fundamental principle of a mutually acceptable definitive solution; and stipulate the self-determination of the people of Western Sahara in the framework of procedures consistent with the principles and the purposes of the Charter of the United Nations.

To that end, a mutually acceptable formula is the main precondition for the sustainable nature of any settlement. There has always been a firm consensus in the Security Council on this issue. Unfortunately, in the adoption of resolution 2440 (2018) today, we see yet another attempt to amplify the ambiguity of the aforementioned parameters. We believe that this approach is unacceptable.

Attempts to revise the agreed bases of the Western Saharan settlement have become the main reason that we were unable to support the American text. We did not block the resolution because it extends the mandate of the United Nations Mission for the Referendum in Western Sahara (MINURSO), which is important for regional stability. We support and assist MINURSO, including by deploying Russian military observers to its contingent, but a vote in favour of the resolution would have meant sacrificing our principled position in support of the existing bases of the settlement.

Furthermore, we have to note that, as was the case for resolution 2414 (2018), the process of preparing and agreeing today's decision was once again neither transparent nor consultative. The principled and well-founded comments of a number of Council members were not taken into account. That shortcoming must be remedied. We once again conclude that the institution of informal penholdership on specific subjects in the Security Council leaves serious room for improvement.

We encourage all to unite in supporting the mission of the Personal Envoy of the Secretary-General for Western Sahara, Mr. Horst Köhler, and help launch a comprehensive negotiation process under his auspices. Such a constructive approach would be of key significance, not only for the settlement in Western Sahara, but in order to improve the situation in the region as a whole and enhance the efforts of all players with the aim of overcoming the challenges to stability and security.

Mr. Amde (Ethiopia): We wish to thank our colleagues from the United States for their serious efforts to ensure a consensus on resolution 2440 (2018). We also appreciate their efforts in preparing the resolution.

The developments that have unfolded in recent months surrounding the issue of Western Sahara have shown all of us that there is undeniable progress that needs the Council's full support. We trust that the efforts made by the Personal Envoy of the Secretary-General on the Western Sahara to relaunch the broadly advocated peace process will start seeing results with the convening of preliminary round-table talks in December in Geneva. It is also vital that the Council continue to speak with one voice in support of the Personal Envoy's efforts at this critical moment in the peace process.

In that context, we would have liked to vote in favour of the text proposed by the United States. Unforunately, the points we raised during the negotiations on the draft, which we believed were fundamental principles for finding a political solution, were not taken into consideration. It is Ethiopia's consistent position that a just, lasting and mutually acceptable political solution, which must also have the ultimate objective of securing the right to self-determination for the people of Western Sahara in the framework of arrangements consistent with the principles and purposes of the Charter of the

United Nations, is the only viable option for resolving the issue of Western Sahara.

While we are looking forward to positive progress at the Geneva talks in December, we reiterate our firm conviction that any meaningful progress in the peace process still hinges on respect for that fundamental principle. Commitment to that principle and the full cooperation of the two parties with the Personal Envoy of the Secretary-General is absolutely essential. That is why it is vital that the Council encourage the parties to continue their constructive engagement, demonstrate the necessary political will and fully commit themselves to the political process. We look forward to a positive outcome to the Geneva peace talks in December.

Mr. Adom (Côte d'Ivoire) (*spoke in French*): Côte d'Ivoire welcomes the adoption of resolution 2440 (2018), renewing the mandate of the United Nations Mission for the Referendum in Western Sahara (MINURSO) until 30 April 2019. However, we would have preferred for the mandate to have been renewed for one year in order to enable MINURSO to work towards the long term. My country believes that six months do not sufficiently match our shared goal of helping to build a dynamic of peaceful coexistence in the region.

In that regard, I take this opportunity to commend the Secretary-General and his Personal Envoy for Western Sahara for their initiative, which has led to the organization of talks on the basis of direct dialogue among all parties.

The resolution that we have just adopted clearly defines the framework and objectives of the mandate accorded by the Security Council to the Secretary-General to enable him to make concrete progress, through negotiations, towards ending the political deadlock in the dispute over Western Sahara, which has lasted too long. That necessarily requires the renewed and determined commitment of stakeholders to taking ownership of the political process. In that regard, Côte d'Ivoire welcomes the decision of the stakeholders and neighbouring States to take part in a round table, to be held in Geneva on 5 and 6 December at the initiative of the Secretary-General's Personal Envoy.

We also welcome the serious and credible efforts of the Kingdom of Morocco to work towards a final dispute settlement. The Moroccan autonomy initiative constitutes a good basis for discussion, as does the commitment of the Secretary-General and his Personal Envoy, whom we strongly encourage to continue to work for the promotion of a framework for dialogue that could lead to peace in Western Sahara.

We also note that, in accordance with resolutions 1325 (2000) and 2250 (2015), and as sought by the Council, the involvement of women and young people in the talks is crucial.

The Council has reaffirmed MINURSO's central role, particularly with regard to respect for the ceasefire and pre-existing agreements and the maintenance of security throughout the region. Ultimately, Côte d'Ivoire hopes that, on the basis of the terms of the new resolution, frank negotiations will begin among the parties, who must be willing to compromise with a view to reaching a final settlement of the dispute.

In conclusion, I reaffirm my country's faith in the success of those initiatives, which will ultimately lead to the development of the Arab Maghreb Union and, above all, to the happiness of the people of the region.

Mr. Lewicki (Poland): Poland voted in favour of resolution 2440 (2018) and regrets that the Council was unable to reach consensus on it. We supported the resolution because we believe that it is the Security Council's responsibility to assist the parties in achieving a just, lasting and mutually acceptable political solution to this long-standing dispute, based on compromise and in accordance with the purposes and principles of the Charter of the United Nations.

Poland appreciates the important role played by the United Nations Mission for the Referendum in Western Sahara (MINURSO) on the ground and the need for it to fully implement its mandate, including its role in helping the Personal Envoy reach a mutually acceptable political solution. We believe that the resolution adopted today by the Security Council is an important step in advancing that process. In that context, we welcome the extension of MINURSO's mandate for another six months. We also wish to thank the United States as penholder for its efforts during the negotiations.

In conclusion, let me assure you, Mr. President, of Poland's continued support for the mission of the Personal Envoy of the Secretary-General for Western Sahara, Horst Köhler.

Mr. Van Oosterom (Netherlands): We voted in favour of resolution 2440 (2018) and we thank the United States, as penholder, for the facilitation of the resolution. The fact that the resolution could not count on the unanimous support of the Council should not, in

our opinion, distract us from what we believe is truly important, namely, the relaunching of the political process. That is something that — having listened to my colleagues who have already spoken — I believe all of us on the Council strongly support, because the relaunching of the political process is in the interests of the people, the parties involved and the wider region.

Our common ambition must therefore be to arrive at a just, lasting and mutually acceptable political solution that will provide for the self-determination of the people of Western Sahara in the context of arrangements that are consistent with the principles and purposes of the Charter of the United Nations. In that regard, we reiterate our full support and appreciation for the efforts of the Personal Envoy of the Secretary-General for Western Sahara and former President of Germany, Mr. Horst Köhler.

Significant steps have been taken since the last renewal of the mandate of the United Nations Mission for the Referendum in Western Sahara (MINURSO) in April. In that regard, we welcome the Personal Envoy's initiative to host a round table in Geneva in December. We commend Morocco, the Frente Popular para la Liberación de Saguia el-Hamra y de Río de Oro, Algeria and Mauritania for their positive and prompt responses. We stress the importance of their continued constructive engagement with the Personal Envoy with the aim of resuming direct negotiations in good faith and without preconditions. We must now capitalize on the existing momentum to relaunch the political process, for which the continued engagement of the Council is indispensable. We also recognize the importance of the work of MINURSO in maintaining stability on the ground and creating the conditions for political progress to take place. We express our full support for the Special Representative of the Secretary-General for Western Sahara, Mr. Colin Stewart, and for the women and men serving in MINURSO under very challenging conditions.

Mr. Meza-Cuadra (Peru) (*spoke in Spanish*): We wish to express our satisfaction at the adoption of resolution 2440 (2018), renewing the mandate of the United Nations Mission for the Referendum in Western Sahara. We voted in favour of the resolution, as we consider it necessary to support the political process aimed at resolving the issue of Western Sahara and to meet the humanitarian needs of the Sahrawi people. In that regard, we consider it urgent to resume the political process, under the auspices of the United Nations and the Personal Envoy of the Secretary-General for Western Sahara, Mr. Horst Köhler, without preconditions and in good faith. We reiterate our full support in that regard.

We hope that a just, lasting and mutually acceptable political solution can be achieved between the parties on the basis of international law and the relevant resolutions of the Council, leading to the self-determination of the people of Western Sahara. In that regard, we look forward to the holding of the round table in Geneva on 5 and 6 December, and encourage the participants to take advantage of that important opportunity to move towards a solution to this long-standing question.

Mr. Wu Haitao (China) (*spoke in Chinese*): The United Nations Mission for the Referendum in Western Sahara (MINURSO) has earnestly fulfilled the mandate of the Security Council and made positive efforts to maintain regional stability. China supports the renewal of MINURSO's mandate so that it can continue to play a constructive role in properly resolving the issue of Western Sahara. We hope that, with respect to future draft resolutions, there will be full consultations that allow us to reach consensus. China appreciates the good offices of the Personal Envoy of the Secretary-General for Western Sahara, Mr. Horst Köhler, and commends his initiative to convene a round table in Geneva. We hope that, with the joint efforts of all stakeholders, that round table will successfully take place and lay the concrete foundations for advancing the political process.

Through the adoption today of resolution 2440 (2018), the Council has extended the MINURSO mandate for six months. We express our full support for the initiative of the Personal Envoy, demonstrating his determination to uphold the mandate of the Mission in order to achieve a political solution to the issue. China's position on the issue of Western Sahara has been consistent. We will maintain an impartial and objective position in support of the work of the United Nations in promoting a political settlement, and encourage the parties to seek a just, lasting and mutually acceptable solution on the basis of the relevant Security Council resolutions and through negotiations.

Mr. Alotaibi (Kuwait) (*spoke in Arabic*): Kuwait voted in favour of resolution 2440 (2018), extending the mandate of the United Nations Mission for the Referendum in Western Sahara (MINURSO) until 30 April 2019. We had hoped for the mandate to be

extended for a full year, in line with the recommendation of the Secretary-General.

We stress the importance of the role undertaken by MINURSO and the complete fulfilment of its mandate. We also express our support for the efforts of the Secretary-General and his Personal Envoy for Western Sahara, Mr. Horst Köhler, to implement the Security Council's resolutions with a view to achieving a just, lasting, practical and realistic political solution acceptable by both sides. We support the upcoming negotiations called for by the Personal Envoy, to be held in Geneva on 5 and 6 December. We welcome the acceptance by all relevant parties of the invitation to participate in the round-table meeting without preconditions and in good faith.

We renew our full support for the Moroccan initiative pertaining to the autonomy of Western Sahara, which represents a constructive choice aimed at achieving a solution acceptable to all parties. We underscore the need to respect the sovereignty and territorial integrity of Morocco. We also welcome Morocco's credible and serious measures and initiatives, as well as its positive interaction with the special procedures of the Human Rights Council.

Mr. Ndong Mba (Equatorial Guinea) (*spoke in Spanish*): At the outset, allow me to express my gratitude to the United States for its efforts to ensure the adoption of resolution 2440 (2018), as well as to the Personal Envoy of the Secretary-General for Western Sahara, Mr. Horst Köhler, and all of the personnel of the United Nations Mission for the Referendum in Western Sahara (MINURSO) for their hard work. We wish them every success in meeting the ongoing challenges of the period that begins today.

The Republic of Equatorial Guinea voted in favour of the resolution just adopted on the renewal of MINURSO's mandate because we believe it important that the parties continue to receive the support, vigilance and facilitation of the United Nations in reaching a just and lasting political solution that is mutually acceptable to the parties to the dispute. We therefore urge the international community to support the efforts of the parties and encourage them to find a definitive solution. We also urge the parties to the conflict to facilitate the work of the United Nations, above all that of the Personal Envoy, to achieve a lasting peace and put an end this long-standing conflict.

It is necessary for transparency and the spirit of permanent consultation to prevail throughout the process so that all parties, including the members of the Council and the parties involved, be kept up to date on the process. That should result in a climate of trust and facilitate decision-making on the matter at hand.

Finally, we commend the full readiness of the parties to the conflict to participate in December's round table. We are hopeful and optimistic with regard to the meetings, while acknowledging that the Kingdom of Morocco has added a number of helpful ingredients that could greatly facilitate the achievement of a constructive solution during the negotiations. Meanwhile, we call on all the parties to refrain from any action that could undermine the prevailing environment of calm in the region.

The President (*spoke in Spanish*): I shall now make a statement in my capacity as the representative of the Plurinational State of Bolivia.

My delegation abstained in the voting on resolution 2440 (2018) because the issue of the self-determination of the people of Western Sahara — which is one of the central questions in the resolutions extending the mandate of the United Nations Mission for the Referendum in Western Sahara (MINURSO) — is not sufficiently reflected in the final text. The Security Council must not subordinate the issue of the self-determination of the people of Western Sahara when addressing this matter.

We also call attention to the surprising inclusion by the penholder of new elements in the text adopted today that were not included in the text negotiated only days ago. Bolivia believes that meetings held to negotiate the text of any draft resolution must above all deal with the issues contained therein. The subsequent inclusion of other elements naturally creates touches on the sensitivities of the members.

Bolivia fully believes that the work assigned by the Secretary-General to his Personal Envoy for Western Sahara and that of MINURSO require the full support of the Security Council in order to achieve a political solution between the parties. We therefore express our full support for the relaunch by the Personal Envoy of the negotiating process with a new dynamic and a spirit in line with the directives of the Security Council so as to reach a just, lasting and mutually acceptable solution to the situation in Western Sahara. We reaffirm our confidence that, through this negotiation

process among the parties and neighbouring countries, a political solution can be achieved, in accordance with the purposes and principles of the Charter of the United Nations and the relevant General Assembly and Security Council resolutions.

I now resume my functions as President of the Council.

As this is the last scheduled meeting of the Council for the month of October, before adjourning this meeting, I wish to express the sincere appreciation of the delegation of the Plurinational State of Bolivia to the members of the Council, in particular my colleagues the Permanent Representatives, their respective staffs and the Security Council Affairs Division for all the support that they have provided us. Undeniably, it has been a busy month during which we have rallied to consensus on several important issues within our purview. We could not have done so alone without the hard work, support and positive contributions of every delegation and the representatives of the Secretariat, including, of course, the Department for General Assembly and Conference Management, the interpreters, the translators, the Verbatim Reporters and the security personnel. As we end our presidency, I know that I speak on behalf of the Council in wishing the delegation of China good luck for the month of November.

The meeting rose at 3.45 p.m.

United Nations S/PV.8388

Security Council

Seventy-third year

Provisional

8388th meeting

Friday, 2 November 2018, 10 a.m.

New York

President:	Mr. Ma Zhaoxu	(China)
Members:	Bolivia (Plurinational State of)	Mr. Llorentty Soliz
	Côte d'Ivoire	Mr. Adom
	Equatorial Guinea	Mr. Ndong Mba
	Ethiopia	Mr. Abebe
	France	Mrs. Gasri
	Kazakhstan	Mr. Tumysh
	Kuwait	Mr. Alotaibi
	Netherlands	Mrs. Gregoire Van Haaren
	Peru	Mr. Meza-Cuadra
	Poland	Mr. Lewicki
	Russian Federation	Mr. Kuzmin
	Sweden	Ms. Schoulgin Nyoni
	United Kingdom of Great Britain and Northern Ireland	Mrs. Dickson
	United States of America	Mr. Cohen

Agenda

The situation in Libya

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The meeting was called to order at 10 a.m.

Expression of thanks to the outgoing President

The President (*spoke in Chinese*): As this is the first public meeting of the Security Council for the month of November, I should like to take this opportunity to pay sincere tribute, on behalf of the Council, to His Excellency Mr. Sacha Sergio Llorentty Soliz, Permanent Representative of the Plurinational State of Bolivia, for his service as President of the Council for the month of October. I am sure that I speak for all the members of the Council in expressing deep appreciation to Ambassador Llorentty Soliz and his delegation for the excellent diplomatic skill with which they conducted the Council's business last month.

Adoption of the agenda

The agenda was adopted.

The situation in Libya

The President (*spoke in Chinese*): In accordance with rule 37 of the Council's provisional rules of procedure, I invite the representative of Libya to participate in this meeting.

In accordance with rule 39 of the Council's provisional rules of procedure, I invite Ms. Fatou Bensouda, Prosecutor of the International Criminal Court, to participate in this meeting.

The Security Council will now begin its consideration of the item on its agenda.

I give the floor to Prosecutor Bensouda.

Ms. Bensouda: At the outset, I would like to congratulate the People's Republic of China on assuming the presidency of the Security Council for the month of November. I wish you, Sir, every success in steering the essential work conducted by the Council.

I welcome the opportunity to engage with the Council once again in relation to the Libya situation and to provide updates regarding ongoing cases and investigations, outstanding warrants of arrest and cooperation with States, the organs of the United Nations and other organizations.

As members of the Council will recall, in June 2011 the Pre-Trial Chamber of the International Criminal Court (ICC) issued the first warrants of arrest in the situation in Libya. Over seven years later, Libya remains a high-priority situation for my Office. Three additional ICC warrants of arrest have been issued following applications brought by my Office during this period, and my team continues to make significant progress in investigations related to other alleged crimes in Libya. Since my last report (see S/PV.8250), we have also piloted new models of cooperation with interested States and organizations in relation to alleged crimes committed against migrants transiting through Libya. My Office hopes to replicate these models for cooperation in other situations before the Court and thereby further contribute to the fight against impunity.

I now turn to recent developments in the case against Mr. Saif Al-Islam Al-Qadhafi. As members of the Council are aware, in June 2011 the Pre-Trial Chamber of the Court issued a warrant of arrest against Mr. Al-Qadhafi for the crimes against humanity of murder and persecution. This warrant of arrest was issued in relation to Mr. Al-Qadhafi's contribution, as de facto Prime Minister of Libya, to a common plan to deter and quell, by any means, the demonstrations against the rule of Muammar Al-Qadhafi in 2011.

On 5 June earlier this year, Mr Gaddafi filed an admissibility challenge, submitting that his case is inadmissible before the ICC. Significantly, in his challenge, Mr. Al-Qadhafi states that on or around 12 April 2016, he was released from the custody of the Abu-Bakr Al-Siddiq Battalion in Zintan, pursuant to an amnesty law. Mr. Al-Qadhafi also argues that as a consequence of the domestic proceedings conducted against him in Libya, he cannot be tried at the ICC.

For the reasons set out in my written response to this admissibility challenge, which was filed on 28 September, I argued that Mr. Al-Qadhafi's case remains admissible before the Court. My sixteenth report, transmitted to the Council two weeks ago, briefly outlines my submissions. My Office maintains that Mr. Al-Qadhafi must be arrested and surrendered to the Court. This admissibility challenge is currently sub judice and the Pre-Trial Chamber will render a decision in due course. I will therefore not delve any deeper into the factual and legal arguments in relation to this specific matter.

Turning to our ongoing investigations, my Office continues to make considerable progress on the Libya situation. We continue to monitor criminal conduct carried out by members of armed groups in Libya whose alleged criminal acts could fall within the jurisdiction

of the Court. Armed groups use violence to exert control over State institutions, commit serious human rights violations, and abuse and exploit detainees in unregulated prisons and places of detention throughout the country. These armed groups represent a major threat to long-term peace and stability in Libya. We do not confine our investigations to any one group; we look at alleged Rome Statute crimes committed by actors across the territory of Libya. More information regarding the nature of these investigations cannot be divulged at the present due to the confidential nature of investigations. Based on the progress made, my Office hopes to be in a position to apply for new arrest warrants in connection with the Libya situation.

I also remain focused on the alleged Rome Statute crimes committed against migrants transiting through Libya. The journeys these people embark upon can quickly turn into true nightmare scenarios in which they become victims of the darkest side of human nature and they are preyed upon mercilessly and their vulnerabilities exploited with no regard for decency or the rule of law. My Office continues to receive evidence of serious crimes committed against migrants in Libya. These alleged crimes include killings, sexual violence, torture and enslavement. In line with my June 2014 policy paper on sexual and gender-based crimes, my Office integrates a gender perspective and analysis into these and all other investigations.

My Office recognizes that to effectively respond to these serious crimes, not only must they be addressed in Libya, but the criminal networks that facilitate such activities operating outside of Libya must also face justice. A multi-layered and multi-party strategy is therefore required to tackle the web of crimes that thrive in the context of migration through Libya. To that end, my Office continues to work collaboratively with various States, including Libya, as well as international law-enforcement organizations. Information on crimes committed against migrants in Libya and on the business model used to perpetuate these horrific crimes is gathered, shared and analysed. We engage in this coordinated effort in the spirit of complementarity and in line with goal 9 of my Office's strategic plan.

Pursuant to that cooperation model, efforts are being made to identify which entities are best placed to investigate or prosecute alleged crimes and determine what further support other partners can provide. The aim is to close the impunity gap at national, transnational and international levels and to hold accountable all those who commit those alleged crimes. I am pleased to inform the Council that the cooperation strategy is proving effective. My Office also continues to benefit from, and is grateful for, the excellent cooperation it receives from the United Nations Support Mission in Libya and the Libyan Prosecutor-General's Office.

As members are aware, within the Rome Statute system of international criminal justice, the arrest and surrender of ICC suspects remains one of the most challenging issues for my Office and the ICC as a whole. There can be no justice for the victims, and the aims of prevention and deterrence are hindered, unless ICC suspects are arrested and transferred to the Court to stand trial. Contrary to the urging of members of the Council, and despite concerted efforts by my Office and the Registry of the Court, not one suspect in the Libya situation has been surrendered to the ICC.

Mr. Al-Qadhafi is at large and, despite his self-claimed release from custody over two years ago, he has shown no intention of surrendering himself to the Court or to the competent authorities in Libya.

In relation to Mr. Al-Tuhamy Mohamed Khaled, former head of the Libyan Internal Security Agency, the Council will recall that, in April 2017, upon my request, the Pre-Trial Chamber made public a warrant originally issued under seal in April 2013. While under seal, the warrant remained unexecuted for more than four years, despite diligent efforts by the Registry and my Office. I hoped that unsealing the warrant of arrest could facilitate Mr. Al-Tuhamy's arrest and surrender to the Court. It is deeply regrettable that Mr. Al-Tuhamy remains at large.

Concerning the case of Mr. Mahmoud Mustafa Busayf Al-Werfalli, a commander in the Al-Saiqa Brigade operating in and around Benghazi, the Council will recall that, on 15 August 2017, the Pre-Trial Chamber of the Court issued an arrest warrant against him, having found reasonable grounds to believe that he is criminally responsible for seven execution incidents resulting in the murder of 33 individuals. Mr. Al-Werfalli is yet another ICC suspect not yet arrested and surrendered to the Court.

Furthermore, despite repeated claims by the Libyan National Army that Mr. Al-Werfalli had been arrested and is being investigated, he is alleged to have murdered an additional 10 people earlier this year, on 24 January, in Benghazi. I reacted by filing a second application under seal for a warrant of arrest for Mr. Al-Werfalli

in connection with that alleged execution. On 4 July, the Pre-Trial Chamber issued a second public warrant of arrest for Mr. Al-Werfalli for the alleged war crime of murder.

Mr. Al-Werfalli is alleged to have committed war crimes. He must be apprehended and surrendered to the Court to answer those serious charges. The Court's legal proceedings will afford him, as for every ICC suspect, all due process rights guaranteed under the Rome Statute.

Information obtained through our ongoing investigations indicates that Mr. Al-Qadhafi and Mr. Al-Werfalli are in Libya, while Mr. Al-Tuhamy is outside Libya. If ICC fugitives are permitted to remain at large, the mandate of the Court to hold those responsible for the most serious crimes of concern to the international community will continue to be frustrated and the Council's referral of the situation in Libya to the ICC will be rendered ineffective. My Office will continue to do its part pursuant to its obligations under the Rome Statute. The Council also bears a responsibility to support such work following its referral of the situation to the ICC. Moreover, States parties and non-States parties should take all the necessary steps to effect the arrest and surrender of those fugitives to the ICC. In the absence of effective accountability for atrocity crimes, impunity will continue to reign in Libya, causing greater suffering and instability.

Allow me to observe that I very much welcomed the convening of the first Arria Formula meeting on relations between the Council and the ICC, which was held in July on the eve of the twentieth anniversary of the adoption of the Rome Statute. Co-sponsored by the Kingdom of the Netherlands and other ICC State parties on the Council, the meeting provided a unique opportunity to reflect on the important relationship between my Office — and, more broadly, the Court — and the Council and to make proposals on ways to strengthen that relationship. I wish to reiterate my gratitude to all co-sponsoring States, the Council and all who contributed to those productive discussions.

The ICC seeks independent and impartial justice through individual criminal accountability for grave crimes that threaten the peace, security and well-being of the world, in an effort to end impunity and contribute to the prevention of such crimes. The primary responsibility of the Council is the maintenance of international peace and security. Our two institutions must therefore work together if we are to achieve our different, yet mutually reinforcing, mandates.

I conclude by expressing my appreciation for the continued support members of the Council offer in relation to the difficult but essential work my Office carries out in connection with the Libya situation. During my previous briefing, in May, many here today recognized the ICC's important work in tackling impunity for serious crimes of international concern and contributing to the maintenance of peace and security. A number of Council members offered their support and cooperation in relation to the arrest and surrender of individuals subject to ICC warrants of arrest. Those genuine expressions of support are very welcome. However, I respectfully submit that those words must be complemented by real action in support of the ICC.

Approximately twenty years have passed since the Rome Statute was adopted. I continue to believe that the creation of the ICC must surely be one of humankind's proudest moments. Yet we have much work to do, and tangible support by that Council is vital to the realization of the ICC's full potential to address impunity for the world's most serious crimes. I look forward to effective support and concrete action from the Council to ensure that our separate, yet interlinked, mandates can positively contribute to the cause of peace, stability and justice in Libya.

The President (*spoke in Chinese*): I thank Prosecutor Bensouda for her briefing.

I shall now give the floor to those members of the Council who wish to make statements.

Mrs. Dickson (United Kingdom): I would like to start by congratulating you, Mr. President, on China's assumption of the presidency of the Security Council for November. The United Kingdom wishes you very good luck for the month.

I would like to thank the Prosecutor of the International Criminal Court (ICC) for briefing the Council on her sixteenth report on the situation in Libya. The United Kingdom remains fully supportive of the ICC's work in Libya to tackle impunity and ensure that those responsible for the most serious crimes of international concern there are held accountable.

The Prosecutor's latest report highlights once again the troubling situation in Libya. The United Kingdom has been clear that the status quo is not a

sustainable option. The continued political divisions in Libya benefit no one except certain armed groups bent on criminality that have created an environment of lawlessness, intimidation and fear in which ordinary Libyans continue to suffer.

The increasing violence in and around Tripoli since August, and the ongoing sporadic violence that has continued since the ceasefire on 4 September, highlight this fact. Those innocent civilians, including many children, deserve better. There is an urgent need to break the political deadlock and bring peace to Libya. To that end, it is vital for all parties to engage in good faith with the United Nations-led political process and Special Representative of the Secretary-General Ghassan Salamé. We must ensure that all those committing human rights violations and abuses in Libya, including unlawful killings, do not evade justice.

The United Kingdom has strongly supported resolutions in the Human Rights Council on increasing accountability and calling for those committing acts in Libya amounting to war crimes or other breaches of international humanitarian law to be investigated and held accountable. We call on all parties to cooperate with the International Criminal Court (ICC), including through the execution of arrest warrants.

The United Kingdom is grateful for the Prosecutor's update in the cases of Al-Qadhafi, Al-Werfalli and Khaled, and notes that the Prosecutor's Office believes that Al-Werfalli is no longer under detention by the Libyan National Army and is currently at large in Libya. The United Kingdom will continue to work closely with other Member States, the Office of the Prosecutor and the Libyan Prosecutor-General's office in the investigation of the appalling reports of crimes against migrants, including those perpetrated by militia and armed groups in Libya and those involving international migrants transiting through Libya.

Those crimes allegedly include torture, killing, sexual violence and even the enslavement of migrants. We are deeply concerned that the number of migrants in detention centres has continued to rise, and the United Kingdom will continue to provide assistance to those who find themselves in such centres. In response to the heightened risk of trafficking and sexual and gender-based violence in Libya, we have also provided specific support to assist in the protection of women and girls. We acknowledge the importance of the Office of the Prosecutor integrating a gender perspective into its work, based on the policy paper on sexual and gender-based crimes.

The United Kingdom is a strong, principled supporter of the ICC. We will continue to provide our full support to the prosecutor and her team. It is crucial that Member States and relevant international organizations work to assist the Libyan authorities in their efforts to build the rule of law in Libya. We, along with our international partners, will continue to work with Libya to provide it with the support it needs to meet the challenges it faces.

Mr. Lewicki (Poland): As this is the first public meeting of the Security Council under new leadership, let me congratulate China on assuming the presidency of the Council for this month. We look forward to closely working with you, Mr. President, in the upcoming weeks and days.

Let me also take the opportunity to express our deepest appreciation for Ms. Bensouda and her team for their tireless efforts aimed at fighting impunity and ensuring accountability. As Ms. Bensouda has just said, there is a link betwen the work of the International Criminal Court (ICC) and the mission of the Security Council, which is the maintenance of international peace and security, as there is no peace without justice. So I once again thank Ms. Bensouda and assure her of Poland's continued support for her work.

I would like to thank Ms. Fatou Bensouda, Prosecutor of the International Criminal Court, for presenting the sixteenth report of the Prosecutor of the ICC, pursuant to resolution 1970 (2011). The conclusion of the report reads in part as follows:

> "Accountability for crimes under the Rome Statute and full respect for the rule of law are integral to sustainable peace, stability and development in Libya ... The appalling cycle of violence, criminality and impunity cannot be allowed to continue for the sake of the Libyan people and the security and stability of the country and the region."

We very much agree with those statements and are grateful for the commitment of the Office of the Prosecutor to investigating allegations of serious criminal activity in Libya and to bringing justice to the victims of atrocity crimes committed there. Poland supports the call on all States, including those on the Council, non-State actors, international organizations

and other stakeholders to work together towards those goals. Such cooperation is vital in the light of the reported and ongoing violence and violations of international law, including international humanitarian law and human rights law, on the ground.

We are deeply disturbed and gravely concerned by the ongoing serious human rights violations and abuses. Those include the killing of civilians, including women and children, the repeated forced eviction and displacement of hundreds of families, and restriction of humanitarian access. Furthermore, the abduction and prolonged detention of persons without trial or other legal process, as well as crimes, including killings, sexual violence and the torture of migrants transiting through Libya, allegedly continue. We reiterate our call for an end to all atrocities in Libya and for full respect for international law, including international humanitarian law and human rights law.

Poland recognizes that a crucial step in combatting impunity for serious crimes in Libya is the arrest and surrender to the ICC of the individuals named in arrest warrants issued by the Court. We note that Libya remains under an obligation and has the primary responsibility in that respect. However, Poland also supports the call of the Office of the Prosecutor on all States to take all possible steps to execute the warrants and surrender those named therein to the ICC, where they will receive a fair, impartial and public hearing of the allegations against them. We also emphasize the need for cooperation with the Office on a wide range of other activities, which include, inter alia, the seizure of evidence, the interviewing of witnesses and the freezing of assets.

Poland appreciates such cooperation, including of the Office of the Prosecutor, with the United Nations Support Mission in Libya, the Committee established pursuant to resolution 1970 (2011) concerning Libya, the Libyan Prosecutor-General's office and several States, organizations and civil society groups. And we were very pleased to hear from Ms. Bensouda about her good cooperation with the Libyan Prosecutor-General's office, which it is very commendable and encouraging. It could, among other things, advance the investigative efforts, potentially deter further crimes and contribute to improving the situation in Libya and beyond. We encourage its further development and call on all parties to support the political process and work towards strengthening the rule of law and achieving peace in Libya.

Poland remains committed to cooperating fully with the Court and the Prosecutor, as requested in paragraph 5 of resolution 1970 (2011), referring the situation in Libya to the International Criminal Court. We reiterate the Security Council's call on all States and concerned regional and other international organizations to do the same in order to reinforce the pursuit of justice and contribute to the maintenance of the international peace and security because — let me reiterate — there is no peace without justice. That is why Poland is so pleased to continue supporting Ms. Bensouda's Office and was happy to co-sponsor the Arria Formula meeting on the link between the work of the ICC and the Security Council in July.

Mr. Cohen (United States of America): Allow me to congratulate China on assuming the presidency of the Security Council and to ensure you, Sir, of our support through the course of this month.

I also want to thank Prosecutor Bensouda for her briefing on her efforts, pursuant to resolution 1970 (2011), to bring to justice those responsible for atrocity crimes committed in Libya.

Seven years ago, in the face of the horrific atrocities being committed by the Muammar Al-Qadhafi regime, the Security Council unanimously referred the situation in Libya to the International Criminal Court. Today, much has changed in Libya, but it is still the case that Libyans are not free from violence, conflict or instability. Just last month, one of Libya's most vital economic institutions, the National Oil Corporation, was attacked by terrorists. In the past two months, over 100 people have been killed in clashes in and around Tripoli. Hundreds more have been wounded and thousands displaced — all due to the unacceptable actions of spoilers to Libya's political process.

The United States has strongly condemned the recent violence in Tripoli. The political process cannot proceed under the threat of violence and the Tripoli ceasefire must be respected. As we have said many times before in briefings on the situation in Libya, the human rights situation in that country is grave and the perpetrators of violence must face justice. Saif Al-Islam Al-Qadhafi and Al-Tuhamy Mohamed Khaled, the former head of the notorious Libyan Internal Security Agency, must be held to account for their crimes, including the murder and persecution of hundreds of civilians and the alleged torture of individuals perceived to have been enemies of the Al-Qadhafi regime. We also reiterate

our calls for the relevant Libyan authorities to ensure that Major Al-Werfalli is held accountable for alleged unlawful killings.

We repeat our warning that those who tamper with security in Tripoli or elsewhere in Libya will be held accountable for their actions. As I said before the Council in September (see S/PV.8341), a handful of political spoilers should not be permitted to thwart the process of achieving a more secure and stable Libya. The continuation of that type of fighting puts people across the country at risk of violence at the hands of criminals and of terrorists.

The United States remains deeply concerned about the vulnerability of migrants, refugees and asylum seekers in Libya, who are preyed upon by human smugglers and traffickers. Those responsible must be brought to justice. We encourage the Government of National Accord to continue efforts to hold such individuals accountable, including any complicit Government officials. We also welcome the Council's action in June to designate for sanctions six individuals involved in human trafficking and the smuggling of migrants in Libya. The United States is pleased to have implemented concurrent sanctions against those individuals who threaten the peace, security and stability of Libya. We further welcome the Council's unanimous adoption in October of resolution 2437 (2018), which authorizes Member States to continue to inspect and seize vessels involved in migrant trafficking and smuggling off the coast of Libya. The United States looks forward to continued collaboration with the Libyan authorities, fellow Security Council members and other allies to fight the scourge of human trafficking and smuggling and Libya and around the world. Let me repeat the words of Ambassador Haley — there is no place in our world for such abuses of human rights and human dignity.

In looking over the broad landscape of where Libya is today, much work remains to be done to create lasting and stable peace. It is appropriate in today's setting to emphasize the crucial role that accountability plays in achieving that goal. Terrorists, armed groups and criminal gangs must not be allowed to act with impunity. Those responsible for egregious abuses and atrocities must be held accountable, not only to bring victims a measure of justice, but also to signal to all future abusers that such crimes will not be tolerated.

The United States is committed to pursuing justice in Libya. We remain a steadfast partner of the Government of National Accord, the Security Council and our international partners in working toward that goal and towards a more peaceful and prosperous Libya.

In closing, I reiterate the concerns of the United States with regard to the activity of the Court with respect to the situations in Afghanistan and the West Bank and Gaza, including our objection to any investigations or other activity of the Court concerning United States or Israeli personnel.

Mrs. Gasri (France) (*spoke in French*): Mr. President, you can count on France's support for your presidency this month.

I thank Prosecutor Bensouda and her teams for their report and today's briefing. As this year marks the twentieth anniversary of the Rome Statute, France wishes to reaffirm its complete and full support for the International Criminal Court, as President Emmanuel Macron strongly reiterated during the general debate of the General Assembly (see A/73/PV.6). The Court must be able to act and exercise its prerogatives without hindrance, in an independent and impartial manner, within the framework the Rome Statute. In that regard, France reaffirms its support for the Prosecutor in the implementation of resolution 1970 (2011), which refers the situation in Libya to the International Criminal Court. That was our conviction then and it remains so today. Any lasting peace in Libya requires justice to be rendered to all the victims. The Court plays a crucial role in that regard.

Today, Libya is in a fragile and volatile situation, as demonstrated by the clashes between militias in Tripoli in late August and the attack on the oil crescent in June. Economic predation is jeopardizing the political process and the country's emergence from the crisis. The humanitarian situation is also worrying, in particular the situation of internally displaced persons, migrants and refugees.

In political terms, Libyans need prospects. The Libyan people want elections. The enthusiasm for voter registration and the initial successes of municipal elections have been unmistakable in that regard. In that context, our action must continue along two lines. The first, which must remain our priority, is the fight against all those who endanger the fragile political balances and exploit the situation to divert Libya's economic resources; and the second is full support for

the efforts of the United Nations Support Mission in Libya (UNSMIL) and the Special Representative of the Secretary-General for Libya, Mr. Ghassan Salamé, to advance the democratic transition in Libya. We commend the personal efforts of the Secretary-General and the valuable contribution of his Special Representative.

An agreement on the way forward was reached on 29 May in Paris by the key Libyan players. Compliance with the commitments made therein is essential to moving beyond the status quo, which only prolongs instability. The Palermo conference organized in Italy should make it possible to follow up on those commitments in the presence of Libyan stakeholders. It is essential that we support all such efforts and demonstrate real unity to encourage Libyans to maintain the course set by Special Representative Ghassan Salamé. We must impose sanctions against those who carry out attacks against Tripoli, as the Special Representative has asked us to do. Beyond those general observations, we would like to make three more specific remarks.

First, the ongoing investigations of the Office of the Prosecutor require the complete and full cooperation of all stakeholders. Cooperation with the Court by the Libyan authorities is essential in that regard. It is crucial to consolidate the collaboration of all the States concerned, whether or not they are parties to the Rome Statute, in order to provide the long-term support that the Prosecutor needs. As the Prosecutor mentions in her report, that cooperation can take place through various means, such as the seizure of evidence, the freezing of certain assets and, of course, the arrest and surrender of fugitives. I would also like to express my delegation's appreciation for the support and cooperation provided by UNSMIL and the Libyan Prosecutor General to the Office of the Prosecutor.

Secondly, with regard to the elements of the report relating to ongoing investigations, France deplores the failure to date to execute the arrest warrants issued by the Court. It is important that those arrest warrants be executed. Let me reiterate the importance of ensuring that all the most serious crimes committed in Libya since 2011 and those that continue to be committed today, including crimes committed by Da'esh, can be investigated and prosecuted.

Thirdly, and this will be my final point, we welcome the attention paid by the Prosecutor with regard to the trafficking of human beings and the smuggling of migrants, which constitute a direct threat to peace and stability in Libya. We welcome the rigorous approach adopted by the Office of the Prosecutor. We hope that it will make it possible to effectively combat impunity for crimes committed against migrants. The Security Council has repeatedly reiterated the importance of prosecuting and trying the perpetrators of such acts. The Council must also assume its responsibility by imposing, under the existing United Nations regime, individual sanctions against those responsible for the trafficking of human beings and the smuggling of migrants. France will continue to actively engage with its partners in that direction.

To conclude, the situation in Libya once again highlights a vicious circle of impunity and instability. That reality requires us to provide answers to the challenges facing the Libyan people and authorities. Those challenges must be addressed through efficient cooperation with the Court and with the support of the Security Council.

Mr. Adom (Côte d'Ivoire) (*spoke in French*): First of all, my delegation would like to congratulate China on its assumption of the presidency of the Security Council for the month of November and assure it of our full support in carrying out its duties. We also congratulate Bolivia on the high quality of its presidency last month.

My country thanks the Prosecutor of the International Criminal Court (ICC), Ms. Fatou Bensouda, for her very informative briefing on the Court's work on cases related to the situation in Libya. As a State party to the Rome Statute, Côte d'Ivoire reaffirms its full support for the efforts of the International Criminal Court to promote international justice and combat impunity in Libya, as well as around the world.

My delegation is concerned about the deteriorating security situation in Libya, after more than seven years of crisis. Since 26 August, those living in Tripoli have been the innocent victims of fighting that has resumed between militias and armed groups. The ceasefire reached on 4 September is a glimmer of hope that must be preserved. To that end, Côte d'Ivoire urges the international community to work to consolidate the current truce and create the conditions to avoid a resumption of clashes among armed factions.

Despite an unstable security situation, Côte d'Ivoire welcomes the actions of the Libyan Government of National Accord, which is resolute in its commitment to the process leading to the organization of free, transparent and credible elections. Those elections

will undoubtedly be an important step in building the rule of law, as well as restoring peace and lasting stability in Libya. I would like to commend the Special Representative of the Secretary-General for Libya, Mr. Ghassan Salamé, for his efforts and reassure him of our full support.

Côte d'Ivoire remains firmly committed to respect for human rights and the principle of accountability. We firmly believes that the fight against impunity is a basic requirement of the national reconciliation process. In that regard, my delegation reiterates its appreciation for the efforts of the Office of the Prosecutor to meet the demand for justice, without which there can be no lasting peace and stability in Libya. We also strongly encourage the Prosecutor and her Office and commend the high-quality work of the International Criminal Court over the past 20 years in the area of combating impunity.

My country also welcomes the Prosecutor's decision to consider the possibility of extending the ICC's jurisdiction to crimes committed against migrants. That decision is justified in the light of known cases of torture, rape and the sale of migrants, which challenge our collective conscience. To that end, Côte d'Ivoire urges the Libyan authorities to engage in constructive cooperation with the Office of the Prosecutor in order to shed light on allegations of serious human rights violations in Libya. We urge them to allow those accused of serious crimes to be tried by the ICC.

Notwithstanding the efforts of the Government of National Accord to restore its authority throughout Libya, its unstable security situation and weak institutional capacity have a negative impact on the establishment of institutions that guarantee the rule of law and compliance with obligations under the Rome Statute. The difficulties encountered by the Prosecutor in executing various arrest warrants are symptomatic of the complexity of the political and security environment in Libya.

My country therefore calls on the international community to continue its multifaceted support for the Government of Libya to enable it to fulfil its commitments to promote and protect human rights and establish accountability mechanisms against individuals or armed groups convicted of serious human rights violations.

In conclusion, my country reiterates its support for the Prosecutor of the International Criminal Court and calls on the international community to support the efforts of the Government of National Accord to restore peace and stability in Libya.

Mr. Meza-Cuadra (Peru) (*spoke in Spanish*): First of all, allow me to congratulate you, Sir, on China's assumption of the presidency of the Security Council and reiterate our delegation's support and cooperation in ensuring success in your important functions. I also take this opportunity to thank the delegation of Bolivia and Ambassador Llorentty Soliz and his team for the considerable results obtained last month. We welcome today's meeting and the important briefing made by Prosecutor Fatou Bensouda. We would also like to assure her of our full support for the challenging work her team conducts in Libya.

Peru is deeply concerned about the grave situation, violence and human rights violations in Libya, despite the United Nations-sponsored ceasefire. We lament the precarious situation of tens of thousands of internally displaced persons and demand that the numerous allegations of atrocity crimes be investigated. We believe that it is of paramount importance that the Council, which is responsible for maintaining international peace and security, continue to refer to the International Criminal Court situations in which access to justice and accountability must be guaranteed. It is clear that the Court's work is complex and requires the full cooperation of all States, including local authorities. Therefore, in addition to recognizing the efforts of the Libyan Prosecutor-General's Office, we must remind Libyan authorities of their legal obligation to execute arrest warrants issued by the Court.

We also believe that, while the work of the International Criminal Court is crucial to preventing the most serious crimes from going unpunished, its jurisdiction complements each State's responsibility to protect its population. That includes the obligation to investigate, prosecute and punish those responsible for atrocities. In that sense, in addition to it being an obligation, authorities cooperating with the Court must be understood as an opportunity to strengthen justice and the rule of law in domestic and international spheres. That means promoting greater trust in jurisdictional institutions and effective deterrence.

That is particularly relevant for a country such as Libya affected by conflict and terrorism perpetrated by entities such as Da'esh and its affiliates, including Boko Haram, which control areas of Libyan territory

and might be involved in the trafficking of migrants. We therefore encourage the Office of the Prosecutor to assess such situations and their possible links with ongoing proceedings. In that connection, we also believe that it is necessary to make further progress in the implementation of the action plan for the resumption of an inclusive Libyan-owned political process under the facilitation and leadership of the United Nations.

We would therefore like to highlight the work of the Special Representative of the Secretary-General and that of the United Nations Support Mission in Libya (UNSMIL). Right now, that means ending the violence, which has recently escalated in Tripoli and must be denounced and countered, and working on concrete measures to effectively protect the population, in particular civilians, and address terrorism in all its forms and manifestations. We believe that that should be the focus of dialogue among the main leaders and political factions, as has been the case with the good offices of UNSMIL throughout the process. Good faith and the spirit of understanding and respect for international law and international humanitarian law must prevail among the parties.

Mr. Tumysh (Kazakhstan): As this is the first open meeting of the Security Council under your leadership, Sir, I wholeheartedly wish the Chinese presidency every success in its endeavours this month, as it holds this important international position, and assure you of our full support.

We would like to thank the Prosecutor of the International Criminal Court, Ms. Fatou Bensouda, for her important briefing. We take note of the Prosecutor's sixteenth report and update on the activities regarding the situation in Libya, which, unfortunately, are not very encouraging.

Ongoing political instability, a fragile security situation and a breakdown in the rule of law continue to create a breeding ground for growing impunity on the part of armed militias and terrorist groups. In that regard, we would like to appeal to all States to recognize that terrorism poses a threat to the peace and security of that country and other countries and also has a negative impact on sustainable development and the humanitarian sphere. Nonetheless, widespread violations of human rights continue to be committed against civilians and vulnerable populations. Thousands of migrants and refugees in Libya are suffering abuses and detention under inhuman conditions.

Kazakhstan reiterates its position that an effective and credible Government is crucial to reinforcing Libya's commitment to restoring and promoting the rule of law, as well as its capacity in that regard, addressing impunity, protecting basic human rights and providing justice for past violations. To that end, the international community's support to Libya remains vital to restoring stability and security throughout the country. Such stability and security require the unification and rebuilding of all national institutions, including political authorities and the security and defence forces. The United Nations has a key role to play in that process, and we reiterate our support to Special Representative of the Secretary-General Salamé.

Mr. Alotaibi (Kuwait) (*spoke in Arabic*): We congratulate you, Mr. President, on assuming the presidency of the Security Council for this month and we wish you every success in carrying out the Council's work. We also thank our colleague the Permanent Representative of Bolivia and the Bolivian delegation for wisely conducting the work of the Council last month. I want as well to thank Ms. Fatou Bensouda, Prosecutor of the International Criminal Court (ICC), for her valuable briefing on the sixteenth report of the ICC submitted to the Security Council in accordance with resolution 1970 (2011).

Once again, the State of Kuwait welcomes the efforts of the ICC to administer justice and combat impunity in line with international law. We commend the progress achieved by the Prosecutor's Office, in spite of the tremendous challenges it is facing in shouldering its responsibility, namely, pursuing and bringing to justice the perpetrators of crimes and violations, especially in the light of the current sensitive and difficult security situation in Libya, including the proliferation of arms and armed militias and the increasing presence of terrorist groups.

We share Ms. Bensouda's concern about the recent escalation of armed clashes in the Libyan capital Tripoli, which have claimed the lives of many victims. In that regard, we cannot but to commend the significant role of the United Nations Support Mission in Libya (UNSMIL) represented by Mr. Ghassan Salamé, Special Representative of the Secretary-General and Head of UNSMIL, in reaching a ceasefire agreement. That had a tangible impact on preventing a further deterioration of the security situation.

We also express our concern about the reported serious violations against migrants and detention centres, including killing and torture. That is a blatant violation of international humanitarian law. Once again, we condemn those practices in the strongest terms.

There is no doubt that Libyan authorities have the primary responsibility for administering justice throughout Libyan territories by exercising their jurisdiction and sovereignty. According to article 1 of the Rome Statute, the ICC is complementary to national criminal jurisdictions in cases being addressed in Libyan courts. The ICC will complement the Libyan national criminal jurisdiction.

The State of Kuwait is aware that Libya is facing tremendous security challenges that affect the ability of court experts to conduct the necessary investigations. However, we commend the significant cooperation by Libyan authorities with the ICC and the Prosecutor in line with resolution 2174 (2014).

We welcome the cooperation by a great number of States and international, regional and civil society organizations, as well as the support provided by UNSMIL to the Prosecutor's Office. That will improve the effectiveness of the Office in carrying out investigations, and thereby help it fulfil its mandate.

We call upon the international community to continue supporting the Libyan Government in its efforts to establish a comprehensive strategy to combat crimes and flagrant violations of international humanitarian law. The international community must provide it with the necessary help so that the Libyan Government can administer justice and promote the rule of law, and thereby contribute to the implementation of the relevant Security Council resolutions.

In conclusion, we reiterate our appreciation for the important work of Prosecutor Bensouda and her team in implementing her mandate, namely, investigating serious crimes committed in Libya.

Mr. Llorentty Solíz (Plurinational State of Bolivia) (*spoke in Spanish*): I would like to join the rest of my colleagues in congratulating you, Mr. President, and your delegation on your assumption of the presidency of the Security Council. I wish you every success and reiterate the full support of my entire delegation to ensure to that end. I would also like to thank all members of the Security Council for their cooperation last month. We thank the Prosecutor of the International Criminal Court, Ms. Fatou Bensouda, for her report, and we express to her and to her entire team our firm support in their important work.

At the end of its first 15 years of existence and 20 years after the signing of the Rome Statute, the International Criminal Court has demonstrated its capacity to resolve complex cases in sensitive scenarios. Therefore, without prejudice to our observations on the progress in the cases that we are considering today, we express our appreciation for the work that the International Criminal Court has been carrying out since 2011 in compliance with the referral made through resolution 1970 (2011).

In that regard, so that the Court is able to fulfil its mandate and avoid impunity, it is crucial that the competent authorities in Libya, the countries of the region, regional organizations and the international community in general make every effort to cooperate. We reiterate that all States, regardless of whether or not they are party to the Rome Statute, are primarily responsible for taking action and helping to facilitate the work of the Court.

We take due note of the report presented and of the activities conducted by the Office of the Prosecutor during the reporting period. We express our grave concern about the incidents and irregularities surrounding the case of Mr. Al-Werfalli, who is now the subject of two arrest warrants issued by the International Criminal Court, on 15 August 2017 and 4 July 2018, respectively, on charges related to the summary execution of at least 43 people in the city of Benghazi. We note that, according to reports of the Libyan National Army, Mr. Al-Werfalli is said to have been arrested and subjected to an investigation by a military prosecutor. However, the Prosecutor's report states that Mr. Al-Werfalli is alleged to be at large and serving as a member of the Libyan National Army.

Furthermore, we note with great concern that, although arrest warrants remain in force, they have not been fulfilled. In that regard, we reiterate the urgent need for all pending arrest warrants to be executed so that the Court is able to comply with its mandate and carry out its work effectively. It is precisely in these scenarios that the idea of universal criminal justice becomes relevant and the need to ensure the universality of the Rome Statute becomes apparent.

Moreover, the intensification of violence, extrajudicial executions, killings, kidnappings, arbitrary detentions

and armed clashes described in the Prosecutor's report bear witness to the sensitive situation that the Libyan people continue to experience. That is even more so given that, since the beginning of the year, there have been more than 400 deaths from crossfire, bombing and the detonation of improvised explosive devices, which have also led to the displacement of approximately 3,600 people from the areas in which clashes have intensified. We are also deeply concerned about repeated reports of violations of the rights of migrants who are subject to rape, torture, degrading and humiliating treatment, denial of medical assistance and arbitrary detention. As has been rightly noted, that is a complex situation that requires a multidimensional strategic approach to cooperating with the Libyan State.

We are certain that the investigations regarding those violations carried out by the Office of the Prosecutor in the context of the principle of complementarity will not only help to identify the perpetrators but, if they constitute crimes against humanity, activate the Court's jurisdiction for their trial. In order to achieve that goal, my delegation highlights and praises the collaboration and constant assistance that the United Nations Support Mission in Libya provides to the Office of the Prosecutor. We take this opportunity to encourage them to continue cooperating so effectively.

In addition to receiving periodic reports on the cases I mentioned, financial contingencies must also be guaranteed to ensure their continuity and effectiveness. The Organization and the membership in general should appreciate the costs incurred by the International Criminal Court to sustain the investigations and trials within its jurisdiction, especially when we notice that several States — including members of the Council — are still not party to the Statute and do not contribute to the investigations. To that end, we recommend that the Office of the Prosecutor include in its next semi-annual report a list of the costs borne by the International Criminal Court — and its Office in particular — to conduct its activities in Libya.

The International Criminal Court is a global undertaking of interest to all States. Its mission is intrinsic to the strengthening of international criminal justice, peace and security, respect for human rights and guarantees of due process. In that understanding, as we celebrate the twentieth anniversary of the Rome Statute this year, we take the opportunity to reflect on the effectiveness of the Court and whether the model conceived covers our expectations with regard to cooperation and universality. That aim is to reinforce and improve the capacities and organization of the Court in order to strengthen accountability and international justice at a time when the responsibility of all States to comply with their obligations under international law specifically, as well as international humanitarian law, are being called into question.

Finally, my delegation reiterates its concern about the public complaints regarding the actions of former authorities of the Office of the Prosecutor of the International Criminal Court that are specifically related to the investigations under way in Libya. With that in mind, and in view of the integrity and transparency that are paramount for international tribunals, we consider it appropriate for the Office of the Prosecutor to give a public accounting of the scope and veracity of those statements in its next report, given that the integrity of the Court is essential to guarantee its credibility and effectiveness before the international community.

Ms. Schoulgin Nyoni (Sweden): Let me join others in congratulating you, Mr. President, on your assumption of the presidency and, of course, assure you of Sweden's full support during this month. I also take this opportunity to thank Bolivia for a successful presidency last month. We thank the Prosecutor of the International Criminal Court (ICC) for being with us again and for her informative briefing to the Security Council today.

The International Criminal Court plays an indispensable role in the pursuit of international justice and accountability. At a time when the Court, as well as the rules-based international order itself, are under increased pressure, renewed support for the ICC is crucial. We must all respect the integrity of the ICC; not doing so undermines our commitment to ending impunity for atrocity crimes. It is also worth recalling that the ICC is a Court of last resort under the principle of complementarity: it acts only when national judiciaries are unable or unwilling to investigate and prosecute serious international crimes. Therefore, the Council must take timely and effective measures to enable the Court to carry out its mandate. That is particularly true for the situation in Libya, where suspects remain at large despite arrest warrants issued against them.

We are gravely concerned about the recent reports of escalating violence and civilian casualties around Tripoli and Derna. The forced eviction of the Tawergha population and the abductions of military, civil society,

political and foreign targets are deeply worrisome as well. In addition, the treatment of international migrants in transit, including reports of killings, sexual violence and torture committed in detention centres, is particularly concerning. Violations of international humanitarian law and violations and abuses of human rights must be investigated and those responsible brought to justice.

We reiterate yet again our strong support for the Office of the Prosecutor and commend its steadfast commitment to bringing justice to victims of serious international crimes in Libya. Despite the continued volatility of the security situation on the ground, the Office of the Prosecutor has continued to pursue its important task with great determination. We are pleased to see the inclusion of the gender perspective in the report, in line with the Office's June 2014 policy paper on sexual and gender-based crimes.

We also greatly appreciate the support that the United Nations Support Mission in Libya, Special Representative of the Secretary-General Ghassan Salamé and the Libyan Prosecutor-General's Office have provided. The efforts of international and regional organizations, including civil society, are also very important. We are grateful for their unwavering commitment to serve and support the justice sector in Libya, despite the harsh circumstances.

We regret that seven years have passed since the arrest warrant against Saif Al-Islam Al-Qadhafi was issued, and yet he remains at large. We also regret that the arrest warrants against Al-Werfalli and Al-Tuhamy likewise remain outstanding since our previous briefing on this matter in May (see S/PV.8250). The reports of executions carried out by Al-Werfalli on multiple occasions, possibly amounting to war crimes, are deeply disturbing.

We support the Prosecutor's call on Libya to cooperate with the Office of the Prosecutor and immediately arrest and surrender all the suspects to the Court. We stress that cooperation with the Libyan Prosecutor-General's Office, Libyan authorities, State parties, other United Nations States Members and other relevant entities is crucial to assist the Office of the Prosecutor in fulfilling its mandate.

The ICC referral is an essential part of the Council's broader measures in relation to Libya, including sanctions. The Security Council Committee established pursuant to resolution 1970 (2011), concerning Libya, and its Chair are currently on a mission to Libya and we will receive this mission's input to the Council next week. It is important that the Council address the situation comprehensively. Accountability and strengthening the rule of law, in which the ICC plays an important role, is an essential component of the Council's broader efforts towards peace and stability in Libya. Cooperation with the ICC therefore deserves the Council's full support.

Finally, I would also like to take this opportunity to reiterate Sweden's sincere appreciation to the Court and its officials in all organs. Their work continues to make a significant contribution to accountability for perpetrators and justice for victims of serious crimes of international concern. We also extend our gratitude to the Kingdom of the Netherlands in its capacity as host nation of the Court.

Mrs. Gregoire Van Haaren (Netherlands): Allow me to start by thanking Bolivia for its stewardship of the Security Council during the month of October. I wish you, Mr. President, and your team all the best for the month of November; you can count on the support of the entire Dutch delegation.

On behalf of the Kingdom of the Netherlands, I would like to express my sincere thanks to the Prosecutor, Ms. Fatou Bensouda, for her sixteenth report and comprehensive briefing on the situation in Libya. The Kingdom of the Netherlands remains a firm supporter of the International Criminal Court (ICC). Please allow me to focus on three important aspects: the Rome Statute system, international cooperation and accountability.

As noted by others, this year marks the twentieth anniversary of the Rome Statute. Not only did we establish the first permanent International Criminal Court 20 years ago, we introduced the Rome Statute system. States parties have taken on the responsibility to end impunity and prosecute international crimes at the national level. Only when States were unable, or unwilling, would the ICC come into play.

The Council acted unanimously in 2011 in referring the situation in Libya to the ICC so as to ensure accountability for the most serious crimes. We commend Prosecutor Bensouda for her unwavering commitment to bringing justice to the victims of atrocities in Libya since 2011.

Even today, the volatile security and human rights situation in Libya is extremely worrisome. Civilians continue to bear the brunt of the fighting and the ongoing conflict. The situation of internally displaced persons and migrants is a particular cause for concern. The Prosecutor is often the only hope that the victims have for ensuring accountability for the crimes committed. But she cannot do it alone.

That brings me to my second point, which is on international cooperation. The full cooperation and assistance of the Council's member States is essential for the Office of the Prosecutor to fulfil its mandate. We welcome the successful cooperation between the Libyan Prosecutor-General's Office and the Office of the Prosecutor, and we urge all States, including the Libyan authorities, to cooperate with the Court and to arrest and surrender all those against whom an arrest warrant has been issued. We also encourage the Libyan authorities to ensure that the domestic case against Abdullah Al-Senussi continues without undue delay. In that regard, we applaud the statement of the representative of Libya on Monday in the General Assembly (see A/73/PV.27) in which he said that Libya is committed to the fight against impunity.

However, because of the security situation, justice at the national level is often delayed. Until the Libyan authorities can prosecute all international crimes at the national level, the ICC must ensure accountability for the international crimes committed in Libya. That was the mandate that the Council entrusted to the ICC many years ago, and that the Council must help the ICC to achieve. I hear criticisms that the investigation is not advancing quickly enough. But when the Council makes referrals, we should continue to work together to follow up on their implementation and should help the ICC to achieve its goals.

With regard to my third point, which is about accountability, we welcome the ICC's efforts to investigate whether crimes against migrants fall within its jurisdiction, and we are keen to see progress in that area. We deeply regret that Mr. Al-Werfalli and other suspects have not been arrested and brought to The Hague, especially considering the recent murders that Mr. Al-Werfalli has allegedly committed, showing that a lack of accountability encourages the repetition of crimes. Without fear of punishment, perpetrators will feel free to commit further offences. We find it even more alarming that Mr. Al-Werfalli was reportedly released after just one day in custody. The fact that he remains at large constitutes complete disregard of the Council and the international community as a whole.

The Kingdom of the Netherlands stands firmly by Prosecutor Bensouda in her fight, and ours, against impunity. But only if we are all fully committed to that goal can we make accountability a reality in Libya and around the world.

Mr. Ndong Mba (Equatorial Guinea) (*spoke in Spanish*): Let me join others in congratulating you, Mr. President, on the assumption of the presidency of the Council by the People's Republic of China. We wish you every success and pledge you our full support. My delegation would like to once again thank and commend Ms. Fatou Bensouda, Prosecutor of the International Criminal Court (ICC), for her courageous work and for her sixteenth report, which she has just done an excellent job of presenting to us today.

Focusing on the issue before us, we must recognize that it is not easy to tackle issues as complex as those we are dealing with today, especially given the current situation in Libya, a country that is going through terrible times on the political, economic and social fronts and where, as everyone knows, the security situation continues to be highly volatile, owing to the prominence and influence of the dozens of militias and armed groups that in practice are in control of much of the country. We consider that to be one of the main obstacles to carrying out an investigation aimed at clarifying specific facts in any field, as is currently the case with the Office of the Prosecutor. That demonstrates the gravity of the current situation and the existing limitations, both those that I have mentioned and for the Libyan Government, which we encourage to continue collaborating to the extent possible with the Office of the Prosecutor, despite those limitations.

While taking all of this into consideration, we believe that the problem is bigger than that. The prevailing impunity and the large number of grave violations of international law and of serious multidimensional crimes, as Prosecutor Bensouda just informed us — such as murder, sexual violence, human trafficking, torture of immigrants and extortion of every kind — continue to be a source of concern. That is why it may be necessary to try a new strategy and focus efforts on determining how to reduce the presence and influence of armed groups and militias in this process within an appropriate legal framework, including measures to support and cooperate with the

Libyan Government in the prosecution of the most serious crimes and to ensure the most effective and robust accountability possible, without forgetting that those measures must be impartial and applied equally, regardless of who commits the crime.

To that end, it is essential to maintain strict, objective and transparent cooperation between States and international organizations, the International Criminal Court and the Council, with a view to seeking real solutions that will help put an end to this type of situation, while putting aside any unilateral interests or actions. All of that must be done within a framework of respect for Libya's sovereignty and integrity, as well as for its laws, internal rules and customs, which in turn must ensure justice within a framework of respect for human rights and international law. In that context, based on our assessment and Prosecutor Bensouda's report, it is clear that the country's judicial institutions feel unable to detain and prosecute Mr. Saif Al-Islam Al-Qadhafi, Mr. Abdullah Al-Senussi and Mr. Mahmoud Mustafa Busayf Al-Werfalli, among others. The International Criminal Court must therefore work closely with the Libyan Government in order to facilitate the Prosecutor's work. It must also continue to make efforts to establish mechanisms that will restore peace and stability in Libya. In that regard, we welcome the recent extension of the mandate of the United Nations Support Mission in Libya.

In conclusion, Equatorial Guinea believes that in the light of the difficulties the Prosecutor's Office faces in carrying out its investigations, all that we can do is fully support its efforts, its wide range of activities and its requests for effective cooperation. That is why we ask the Council to take its recommendations into account and to take action accordingly.

Once again, I wish Prosecutor Bensouda every success in the mission entrusted to her and courage in her complex and dedicated work in the context of the tangled conflict in which Libya is mired.

Mr. Kuzmin (Russian Federation) (*spoke in Russian*): I would like to congratulate you, Mr. President, on your presidency for this month and assure you that you will always have the Russian Federation's full support and assistance. I would also like to congratulate Bolivia on its successful conclusion of the presidency of the Council for the month of October.

I would first like to say a few words about the situation in Libya in general. Sadly, there are no signs that it is improving. The country is divided into spheres of influence. The international community should focus its efforts on uniting it. Unfortunately, various external actors continue to place their own interests in Libya above the goal of a political settlement.

We take note of the sixteenth report of the Prosecutor of the International Criminal Court (ICC) on the investigation of the Libya dossier, although unfortunately we have seen no information in it about the investigation itself — that is, about the progress of the investigation. We have repeatedly brought up the ICC's selective approach to this issue, and the report is yet another confirmation of that. For example, the report mentions the recent escalation of violence in Tripoli, in which civilians died, yet it simply records the fact that it happened. Not a single armed group is named as responsible for this dangerous outbreak of hostilities. For some reason the Prosecutor was not interested in investigating the incident in which terrorists blew up two cars near a crowded mosque either. And each successive report dwells on the reports of the activity of the Libyan National Army in Derna.

Of course, the interest in aspects of the migration issue in the context of the situation in Libya is understandable. But there is something one-sided about the ICC's view of these problems. We would like to point out that it is criminal organizations, firmly based in migrants' countries of destination and chiefly in Europe, that are getting rich off the illegal business of transporting those migrants, while that key aspect is missing from the Prosecutor's report for some reason.

In paragraph 25 of the report, which we read carefully, we did note one sensible assessment, which is that the Council's referral of the situation in Libya to the ICC may not prove successful. In that connection — and we spoke about this at the previous meeting (see S/PV.8250) — our delegation is fully resolved to provide members with every assistance in ensuring that the Council does not repeat this unfortunate experiment. In principle, therefore, given the Court's noticeably shaky reputation in the eyes of many States Members of the United Nations, attested to by the debate in the General Assembly on 29 October (see A/73/PV.27) — and as my colleague from the Netherlands correctly remarked when she said that the investigations "are not quick enough", we believe that we can and should consider changing the frequency of the ICC's briefings to the Council.

Mr. Abebe (Ethiopia): Let me join other delegations in congratulating you, Mr. President, on your assumption of the presidency of the Council for this month, and assuring you of our full support. We also express our profound appreciation to the delegation of Bolivia for its able leadership of the work of the Council in October. We thank Ms. Fatou Bensouda, the Prosecutor of the International Criminal Court, for her report and briefing to the Security Council pursuant to resolution 1970 (2011).

We remain extremely concerned about the grave violations of human rights committed by all parties to the conflict in Libya. The continued violence perpetrated by armed groups and terrorists is seriously threatening the country's stability and security. Abductions, torture, displacement, the killing and injuring of civilians, arbitrary detention and human trafficking continue unabated. Criminality is increasing and the level of lawlessness engulfing the country is deeply troubling. As pointed out in the statement issued yesterday by the United Nations Support Mission in Libya, the use of force and intimidation against private and public institutions is also alarming.

Unfortunately, it is the Libyan people, particularly their most vulnerable groups, such as women, children, migrants and refugees, who are suffering enormously in the ongoing crisis. The current dangerous and uncertain situation must be addressed as a matter of urgency. That is why we fully concur with the view of Mr. Ghassan Salamé, the Special Representative of the Secretary-General for Libya, who has underscored on a number of occasions, including in his most recent briefing of the Council (see S/PV.8341), that the status quo in Libya is untenable.

We condemn all attacks on civilians and civilian infrastructure, including the recent attacks in southern and central Libya. All who continue to commit such violations must be held accountable. It is vital to fight the widespread sense of impunity in Libya through the appropriate legal mechanisms, while respecting the country's sovereignty and territorial integrity. We strongly believe that ensuring the protection of civilians and civilian infrastructure should be the primary responsibility of all the parties in Libya. In that regard, the international community should continue to support building and enhancing the capacity of Libyan State institutions, particularly its judiciary and law-enforcement bodies, in order to ensure the rule of law. The international community should also provide support anchored in a long-term and coordinated strategy for building State institutions, in order to foster an environment of security and stability.

The continued and widespread violations of human rights cannot be sustainably halted until all Libyan political actors find a lasting political solution to the protracted crisis. Unifying State institutions also remains extremely critical. In that regard, all Libyan actors must be urged to work constructively towards concrete progress in addressing the impediments to the full implementation of the United Nations action plan.

In conclusion, I want to reiterate our position that only a Libyan-led and -owned comprehensive political dialogue, facilitated by the United Nations, can bring about a credible and successful transition in Libya. We continue to support the diplomatic endeavours of Special Representative Salamé to implement the United Nations action plan. In that regard, all Libyan actors should engage constructively with him. The Council should also continue to support his efforts.

The President (*spoke in Chinese*): I shall now make a statement in my capacity as the representative of China.

First of all, I thank Ms. Fatou Bensouda for her briefing today.

China is very concerned about the evolving situation in Libya. We support all efforts that are conducive to stabilizing the situation in Libya, promoting a political settlement of the Libyan issue and combating terrorism. We support the United Nations in continuing to implement the related action plan by intensifying its mediation efforts. China firmly supports the Libyan people in safeguarding their national unity and State integrity. We hope that all the parties in Libya will adhere to a process for a political settlement that is led and owned by the Libyans themselves, and work to settle their differences through inclusive dialogue and negotiations, building mutual trust, finding a solution that accommodates the interests of all parties, pushing for national reconciliation and restoring State governance, with a view to achieving peace, stability and development in Libya as soon as possible. The international community should respect Libya's independence, unity, sovereignty and territorial integrity, and should continue its support and assistance to Libya.

China's position on the International Criminal Court remains unchanged.

I now resume my functions as President of the Council.

I give the floor to the representative of Libya.

Mr. Fares (Libya) (*spoke in Arabic*): First and foremost, I would like to congratulate you, Mr. President, on your assumption of the presidency of the Security Council for the month of November. I am also pleased to thank Ms. Fatou Bensouda, Prosecutor of the International Criminal Court, for her briefing.

We are here today to focus on a single objective, which is combating impunity. The Rome Statute established a regime between our national and international legal systems designed to prosecute the perpetrators of the most serious crimes — war crimes and crimes against humanity. In that spirit, the principle of complementarity was established between the International Criminal Court and national legal systems, meaning that at this stage, although Libya is not party to the Rome Statute, the Court complements our national criminal judiciary in order to ensure justice. At the same time, we also underscore the principle of Libya's State sovereignty with regard to the application of its local laws for crimes committed within its territory.

We are fully aware that there is some delay in the pursuit and prosecution of suspects. However, we want to emphasize that the delay is not the result of any unwillingness on the part of the national judiciary to prosecute and punish the perpetrators of the crimes in question, but is rather due to the security conditions that Libya is dealing with and that all countries that have experienced conflict are familiar with. Our national judiciary has actually prosecuted many of the accused, and the various verdicts have led to the conviction and punishment of some and the acquittal of others.

In that regard, we want to stress that in order for our national judiciary to meet its obligations with regard to achieving justice and promoting the rule of law, we need the international community's serious support in helping the Libyan authorities to end our country's current security crisis, in conjunction with the efforts being made to unify our institutions and ultimately enable the political process to succeed. That can be done, first, by providing the national institutions responsible for applying the law with the support they need so that they can play their full role in strengthening security and stability; secondly, by eradicating the various factors and conditions that result in crimes and violations; thirdly, by confiscating the tools that are used to commit those crimes, especially weapons; and fourthly, by eliminating terrorist and all other outlaw groups.

In conclusion, we reaffirm that the Libyan authorities are committed and eager to punish the perpetrators of crimes and combat impunity, while applying legal rules that reflect the rule of law. The Libyan judiciary is independent, impartial and capable of carrying out criminal and social justice in order to ensure the rights of victims and end impunity.

The meeting rose at 11.35 a.m.